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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mrs. DRAKE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 25, 2006.

I hereby appoint the Honorable THELMA D. DRAKE to act as Speaker pro tempore on this day.

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

PRAYER

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

Renewed in spirit by religious observances and the fresh breath of spring, Members of Congress return today to offer You, Lord God, praise and thanks. Strengthened by family ties, conversations with neighbors, and meetings with constituents back home, they are again grounded by the human relationships that make them one with the people they represent and whom they serve.

May the hopes, concerns, and heartfelt needs they carry back to Federal Government find full expression in their committee work and public policy and the just laws they formulate. In all their endeavors may they listen, Lord, and learn from one another, and together reach a new depth of corporate civility.

May they become aware that in serving your people, they serve You, Lord God; for You alone are Father of all and the source of love and justice, both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

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

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 7, 2006.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 7, 2006, at 3:30 p.m.:

That the Senate passed with an amendment H.R. 3351.

That the Senate agreed to without amendment H. Con. Res. 366.

That the Senate agreed to without amendment H. Con. Res. 382.

With best wishes, I am,
Sincerely,

KAREN L. HAAS,
Clerk of the House.

SENIORS ARE PLEASED WITH MEDICARE PART D

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

Ms. FOXX. Madam Speaker, last week House Republicans hosted over 200 Medicare part D events across the country to educate seniors on this new prescription drug plan and to help them enroll. I hosted two successful Medicare part D enrollment workshops in North Carolina's Fifth Congressional District and was pleased to help many of my constituents sign up to get coverage and save money on their prescriptions.

This is a program that is working for most seniors, and early problems are quickly being corrected. Recently the Washington Post and ABC News reported that of the 30 million-plus seniors who have already enrolled, three-quarters said that the paperwork was easy to complete, and nearly two-thirds say that Medicare part D saved them money.

It is important for seniors interested in this program to enroll by May 15. Seniors do not have to be experts on Medicare to enroll. They can simply call 1–800–MEDICARE or visit medicare.gov for information and personalized assistance. These resources are available 24 hours a day, 7 days a week. If Medicare part D can help you or your loved ones, don't miss this opportunity.

GAS PRICES

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, nothing was more talked about during the work recess than the outrageous gasoline prices as they go up and up and up. None were more harmed than seniors, others on fixed income, and, of course, America's families who are struggling. We also in Texas had a rolling blackout.

So we must act now; not the Republican agenda, not the agenda that does

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not work, but Democrats and Republicans must work together to act and pass solutions. We must have, if you will, a conservation day, 1 day that you are on public transportation or bicycles; taxes on the excessive CEO salaries, how much can they spend? We must have, of course, a tax on the outrageous profits of the energy companies, but, more importantly, that tax can be used as a rebate, a one-time $10 rebate to those families who are at a certain income; review of the release of barrels from the petroleum reserve; Congressional hearings on the allegation of price gouging; the FTC, the Federal Trade Commission, must be out in the field doing a national survey on gas prices, an assessment of the market, analyzing the exploiting of political issues like Iraq and Iran.

The President must take leadership. Government incentives for domestic production of ethanol and town hall meetings will be held in my district, and also we must do exploration in the gulf. Outrageous gas prices require us to act.

A TRIBUTE TO SPECIALIST MARK W. MELCHER

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

Mr. MURPHY. Madam Speaker, I rise with a somber mood to recognize a citizen, a patriot, a soldier who gave his life for a cause he believed in serving his country as a soldier in Iraq.

Mark Melcher lived in Pittsburgh his entire life. He grew up on the north side watching the Steelers, Pirates and Penguins play, and graduated the from North Catholic High School in 1989. Soon afterwards, he joined the Army. He served in Operation Desert Storm in Kuwait.

Following the 1991 conflict to liberate Kuwait, Mark returned home to begin working at the Mellon Financial Corporation. He then served in the National Guard's lst Battalion, 103rd Armored Division located in Friedens, in Somerset County, Pennsylvania.

Mark departed for military training on the morning of Sunday, February 5th. Sadly, on April 15, 2006, just a month after arriving in theater, Mark was killed when his tank he manned came under fire outside of Baghdad. He was 34 years old. He is survived by his parents, Kathy and John Melcher, Sr., of Ross, Pennsylvania. I commend the deepest sympathies of all Members of this House to the Melcher family.

Also I offer the gratitude of every American. We should never forget his devotion of duty, his love of country. Today and every day let us give thanks to Mark Melcher, his family, and indeed all of our soldiers, sailors, airmen and the marines.

John Melcher, Sr., Mark's father, said of Mark, my son believed in the cause, he loved his country, gave his life for his country. You don't get any better than that. Yes, sir, Mr. Melcher, you do not get any better than that.

ESCALATING GAS PRICES

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, as every other Member, I have just returned from my congressional district, which includes a major part of the Dallas metropolitan area, and they have some of the highest gas prices in the Nation.

Recent reports revealed that gas prices have shot up nearly 25 cents per gallon over the past 2 weeks. In December of 2003, gas averaged $1.50 a gallon. Now gas is reaching $3 a gallon. While I agree that supply-and-demand forces are part of the reason behind the escalating gas prices, I also believe that price gouging is a fundamental problem.

Congress must act and enact innovative policies such as windfall profit tax on the gas companies and greater investments in alternative fuels, fuel efficiency, even public transportation.

Madam Speaker, I urge the Republican leadership to stop the rhetoric and start thinking about the real change.

SALUTING THE LEADERSHIP OF SECRETARY OF DEFENSE DONALD RUMSFELD

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

Mr. WILSON of South Carolina. Madam Speaker, as a 31-year veteran of the Army National Guard and the father of three serving in the military today, I greatly appreciate the military successes that have been achieved under the leadership of Secretary Donald Rumsfeld.

Secretary Rumsfeld has worked tirelessly in the global war on terrorism and led our troops to liberate 25 million people in Afghanistan, defeat Saddam Hussein's enormous Army in 18 days, train over 250,000 Iraqi security forces, capture countless terrorists, and further the greatest spread of freedom in the history of the world.

House and Senate Democrats promised a substantive national security policy over a month ago, but they continue to practice the strategy of retreat and defeat, which does not protect our country.

Fortunately, Secretary Rumsfeld and the U.S. military remain committed to fighting terrorists in Iraq, Afghanistan and worldwide so that we do not have to face them on the streets of America.

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

BUSH PRESCRIPTION DRUG TAX—TWENTY DAYS LEFT UNTIL TAX TAKES PLACE

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

Mr. PALLONE. Madam Speaker, the countdown continues. If neither the Bush administration nor this Congress act within the next 20 days, seniors who have yet to sign up for the new prescription drug plan will be penalized with a Bush prescription drug tax that will stay with them for the rest of their lives.

It is bad enough that the new prescription drug plan is so confusing and complicated that a vast majority of seniors have yet to sign up, but now, if seniors choose a drug plan after May 15, they will be penalized with a tax that will only make their prescription drug costs higher.

The Bush administration refuses to extend the deadline, even though they have heard recent reports of seniors waiting on the phone as long as 30 minutes to get more information on these private drug plans.

If House Republicans do not join us in extending this unfair deadline, seniors will encounter at least a 7 percent Bush prescription drug tax that they will be forced to pay every month for the rest of their lives.

As we check off another day on the calendar, House Republicans now only have another 20 more days to stand up and support America's seniors. It is time Republicans do the right thing.

GASOLINE PRICES—SOBER ACTION DEMANDED

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

Mr. PRICE of Georgia. Madam Speaker, talk is cheap, and gas prices aren't. With summertime right around the corner, Americans are making plans to pack up their car and hit the road for a summer vacation. However, this year gas prices are putting a damper on those summer plans.

The President and most Members of Congress appreciate something the American people know well, America has an addiction to oil. But higher gas prices today are the product of many different factors, including governmental regulation and heightened worldwide demand. Here at home we are best able to adapt by using tools at our disposal.

In the weeks ahead, Congress must continue to act on behalf of the American people by providing incentives for energy conservation and the development of alternative energy sources. We should expand our domestic oil production, including building new refineries and expanding current ones. Above all, Members of Congress cannot talk about the rise in energy prices and then say ''no'' to reforms when it comes time to vote.

Right now, talk, not oil, is cheap. Shortsighted solutions will not be effective. I urge my colleagues to work together on behalf of all Americans. Our Nation certainly has the will to evolve our actions and the capability to meet these challenges.

HONORING THE CAREER OF DAN PIERCECCHI

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

Mr. McCOTTER. Madam Speaker, I rise today to acknowledge and honor the career of a gentleman I have known for almost 20 years, Mr. Dan Piercecchi, who will be receiving a lifetime achievement award.

Dan has dedicated his life to public service throughout Michigan, having served on the Inkster Parks and Recreation Commission and then being elected to the Inkster City Council. He has also served on the Livonia Planning Commission and is currently a proponent and a champion of municipal government throughout America.

He is also a very dedicated activist to our own Grand Old Party, and he was one of the first people I ever met when I became involved in politics. He has the wisdom, sagacity, and tenacity of an old bull, and this young bull would like to thank him very much for the example he set of what one of man of integrity can do to move mountains.

□ 1415

FREE ACT

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

Mr. STUPAK. Madam Speaker, crude oil prices have exceeded previous records set after Hurricane Katrina, reaching over $75 a barrel. This summer, Americans are expected to pay significantly more at the pump than last summer. In the meantime, oil companies continue to rake in record profits.

During five town hall meetings I held in Michigan in the past 2 weeks, the price of gasoline was the most troubling for my constituents. There are currently no Federal laws against price gouging. The only way the Federal Trade Commission can even attempt to prosecute unfair pricing is through antitrust and antimonopoly laws. To date, the FTC has never brought a gas price gouging case to court.

Recently, President Bush ordered an investigation into gas prices. However, because the Federal Government does not have a clear definition of what price gouging is, the FTC can do little more than study the issues. But we have had enough studies. Last September, I introduced a bill to increase the Federal Government's ability to prosecute price gougers. My bill, the Federal Response to Energy Emergencies Act, FREE Act, will provide the FTC and the Department of Justice with the authority to investigate and to prosecute those who engage in predatory pricing, from oil companies down to distributors, with an emphasis on those who profit most.

The FREE Act will also allow State attorneys general to investigate unfair pricing practices. This includes the gouging of gasoline, home heating oil, and natural gas. The Federal Government has a responsibility to act responsibly and prevent price gouging, and I urge a vote on my legislation.

PRESIDENT SHOULD VETO SUPPLEMENTAL SPENDING BILL

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

Mr. PENCE. Madam Speaker, with a record deficit and national debt, now is the time for Congress to practice fiscal discipline, even where funding the war on terror is concerned.

While I have supported our troops and funding the rebuilding and reconstruction efforts along the gulf coast, I could not bring myself to support recent emergency funding legislation that left this House of Representatives at some $92 billion, including many elements that the President of the United States thought were unnecessary.

Well, if things were bad before, they just got worse. Madam Speaker, the Senate is working on the emergency supplemental bill, and it is now at $106.5 billion and rising, including such unrelated measures as $3 million for southern and eastern Kentucky tourism and $900,000 for Dartmouth College, to name two.

Let us support funding the war on terror and support the families and communities affected by the hurricanes that hit the gulf coast, but let us do it in a fiscally responsible way. This legislation has become a fruit basket of spending unrelated to our war efforts and Katrina; and I say plainly, Mr. President, veto this bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. DRAKE). Members should direct remarks to the Chair and not to the President.

REACH OUT TO MODERATE PEOPLE OF IRAN

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

Mr. PITTS. Madam Speaker, anyone following the news knows that tension is growing in our relations with Iran. But as we consider our response to this situation, let us be clear about where the problem lies.

The problem is with the radical new leadership of Iran, President Mahmoud Ahmadinejad, and his extremist regime. It is not with the good people of Iran, who have shown openness to freedom and moderation.

Historically, Iran has been a center of culture and civilization. Millions of Iranians still value these things and seek a future with greater freedom and individual liberty. We must be reaching out to these people through diplomacy, person-to-person diplomacy and other ways to encourage their desire for freedom.

The idea of nuclear weapons falling into the hands of a leader who calls the Holocaust a myth and openly says Israel should be wiped off the map is unthinkable and must be addressed. But the best way to do that is through reaching out to the moderate people of Iran who want better for their country than the current regime, not through military action.

MEDICARE SUCCESS STORY

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

Mr. GINGREY. Madam Speaker, I rise today to share yet another success story from a senior who is saving money with Medicare prescription drug coverage. These stories are plentiful, and it is important we share them with the American people so seniors will know the truth. They could be saving thousands of dollars a year with Medicare part D.

Mrs. Cornelia Kinnebrew lives in Rome, Georgia, in my district. Like many seniors, Ms. Kinnebrew's medication costs were astronomical. She was paying more than $700 a month for her drugs, a huge portion of her monthly budget.

Well, after contacting my office, Ms. Kinnebrew is signed up for a Medicare prescription drug plan. We discovered that she qualified for the additional help available to our low-income seniors, and I am incredibly pleased to report that now, with Medicare part D, Cornelia Kinnebrew pays only $37 a month for her prescription drugs. That is a savings of nearly $700 every month.

Madam Speaker, the initial enrollment deadline for Medicare part D is May 15. With 3 weeks left to sign up, it is extremely important we put people over politics and help ensure all seniors have the opportunity to enroll.

My message to seniors is this: with Medicare part D, the D stands for delivers. The President and this Republican-led Congress have done just that. Take advantage of it.

GAS PRICES

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

Mrs. BLACKBURN. Madam Speaker, gas prices are the topic right now, so

let us talk about energy, because we have heard some of our liberal colleagues take great delight in talking about the gas prices, and probably they should. It is their policies that have led us to this point.

The Democrat Party in this country is very tightly tied to environmental extremist organizations; and since the 1970s, they have been working day and night to halt domestic exploration for oil.

We cannot search for oil on the Outer Continental Shelf, meanwhile Cuba and Venezuela are. We cannot explore for oil in ANWR because it might hurt the caribou. We haven't built a refinery since 1976 because environmentalists use their influence over liberal policymakers to create a regulatory and permitting scheme that makes it virtually impossible to get approval. That is why we have fewer refineries today.

Madam Speaker, the House passed a bill last year to make price gouging a Federal crime and to streamline the process for building a refinery. Not a single Democrat in this body voted for that, and now it is languishing in the Senate.

It is time for action. That is the reality of the situation.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 7, 2006.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 7, 2006, at 9:20 a.m.:

That the Senate passed without amendment H.R. 4979.

That the Senate agreed to without amendment H. Con. Res. 360.

That the Senate agreed to without amendment H. Con. Res. 371.

That the Senate agreed to S. Con. Res. 85.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, Speaker pro tempore WOLF signed the following enrolled bill on Tuesday, April 11, 2006:

H.R. 4979, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify the preference for local firms in the award of certain contracts for disaster relief activities.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

HOUR OF MEETING ON THURSDAY, APRIL 27, 2006

Mr. RENZI. Madam Speaker, I ask unanimous consent that when the House adjourns on Wednesday, April 26, 2006, it adjourn to meet at 9 a.m. on Thursday, April 27.

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

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON THURSDAY, APRIL 27, 2006, FOR THE PURPOSE OF RECEIVING FORMER MEMBERS OF CONGRESS

Mr. RENZI. Madam Speaker, I ask unanimous consent that it may be in order on Thursday, April 27, for the Speaker to declare a recess subject to the call of the Chair for the purpose of receiving in this Chamber former Members of Congress.

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

There was no objection.

TO MEMORIALIZE AND HONOR THE CONTRIBUTION OF CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. RENZI. Madam Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 83) to memorialize and honor the contribution of Chief Justice William H. Rehnquist.

The Clerk read as follows:

H.J. RES. 83

Whereas President Richard M. Nixon nominated William H. Rehnquist to replace Associate Justice John Marshall Harlan on the Supreme Court on October 21, 1971, he was confirmed by the United States Senate on December 10, 1971, and served as an Associate Justice of the Supreme Court of the United States from January 1972 through September 1986;

Whereas President Ronald W. Reagan nominated Associate Justice William H. Rehnquist to replace Chief Justice Warren E. Burger as the Sixteenth Chief Justice of the United States on June 20, 1986, and he was confirmed by the United States Senate on September 17, 1986;

Whereas William Rehnquist presided as Chief Justice from September 1986 until September 2005 for a total of 19 years, making him the fourth-longest-serving Chief Justice after Melville W. Fuller, Roger B. Taney, and John Marshall, and the longest-serving Chief Justice who had previously served as an Associate Justice;

Whereas Chief Justice Rehnquist ably presided as chief administrator of the United States courts to insure the due administration of justice during times of rising caseloads and fiscal constraints;

Whereas Chief Justice Rehnquist was respected for his intellect, fairness, and humor by his fellow Justices and by members of the other branches of government; and

Whereas despite the debilitating effects of thyroid cancer, Chief Justice Rehnquist continued his service to the court and the country, and administered the oath of office to President George W. Bush at his second inauguration on January 20, 2005: Now, therefore, it is

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

ACKNOWLEDGMENT AND HONOR

SECTION 1. The United States, acting through Congress, authorizes and directs the Curator of the Supreme Court, subject to the direction and approval of the Chief Justice of the United States, to procure a marble bust, including pedestal, of the late Chief Justice William H. Rehnquist, and to cause them to be placed in the Supreme Court building to honor his memory and legacy to the Supreme Court of the United States.

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. There is authorized to be appropriated $50,000 to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

House Joint Resolution 83, introduced by Congressman RICHARD POMBO, chairman of the House Resources Committee, is offered to honor the contributions of former Chief Justice William Rehnquist by authorizing and directing the Curator of the Supreme Court to produce a marble bust, including a pedestal, of the late Chief Justice and have it placed in the Supreme Court Building.

Madam Speaker, Chief Justice Rehnquist served the people of this country and the court that he loved for 33 years. He was, in fact, the fourth longest serving Chief Justice. I believe a bust in the Supreme Court is but a small token of our deep appreciation for his dedication to this country and the rule of law.

Similar honors have been authorized by Congress for 13 other Chief Justices, and I believe Chief Justice Rehnquist is equally deserving. I encourage adoption of the bill.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. I yield myself such time as I may consume.

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

Mrs. CHRISTENSEN. Madam Speaker, the majority has already explained the purpose of House Joint Resolution 83, which was introduced by Resources Committee Chairman RICHARD POMBO.

All former Chief Justices of the Supreme Court are currently memorialized with their busts placed in the Great Hall of the Supreme Court Building. House Joint Resolution 83 will extend this honor to former Chief Justice Rehnquist as well, and we support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the joint resolution, H.J. Res. 83.

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

A motion to reconsider was laid on the table.

APPROVING LOCATION OF COMMEMORATIVE WORK IN DISTRICT OF COLUMBIA HONORING FORMER PRESIDENT DWIGHT D. EISENHOWER

Mr. RENZI. Madam Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 28) approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower.

The Clerk read as follows:

S.J. RES. 28

Whereas section 8908(b)(1) of title 40, United States Code provides that the location of a commemorative work in the area described as Area I shall be deemed authorized only if approved by law not later than 150 days after notification to Congress and others that the commemorative work may be located in Area I;

Whereas section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note) authorizes the Dwight D. Eisenhower Memorial Commission to establish a memorial on Federal land in the District of Columbia to honor Dwight D. Eisenhower; and

Whereas the Secretary of the Interior has notified Congress of her determination that the memorial should be located in Area I: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the location of the commemorative work to honor Dwight D. Eisenhower, authorized by section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note), within Area I as depicted on the map referred to in section 8908(a) of title 40, United States Code, is approved.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, Senate Joint Resolution 28 approves the location of the Dwight D. Eisenhower commemorative work in the District of Columbia. Congressman JERRY MORAN is the author of the companion bill in the House, and he should be commended for his efforts to have this legislation enacted in such a timely manner.

□ 1430

Congress authorized the establishment of a Washington, D.C., memorial to former President Dwight D. Eisenhower in 2002. Under the Commemorative Works Act, Congress must formally approve the placement of memorials located in ''Area 1'' of the District of Columbia within 150 days of notification by the Secretary of the Interior. Area 1 comprises the central monument core along the National Mall.

The Secretary of the Interior notified Congress on January 31, 2006, that the Dwight D. Eisenhower Memorial Commission should be granted the authority to consider sites within Area 1 for the Eisenhower Memorial after concluding that former President Eisenhower is of ''preeminent historical and lasting significance to this Nation.'' Congress must approve this recommendation by July 2, 2006, for the planning and approval process to proceed. Senate Joint Resolution 28 does just that. I urge adoption of the resolution.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, President Dwight D. Eisenhower is a towering figure in American military and political history. We are pleased that the process for memorializing him is moving along rapidly and join our colleagues in offering our support for this resolution.

I would also like to congratulate the gentleman from Kansas (Mr. MOORE) for his steadfast advocacy of this legislation. Mr. MOORE is a member of the Executive Committee of the Dwight D. Eisenhower Memorial Commission, and in his letter to Ranking Member RAHALL noted, ''President Eisenhower deserves a memorial location that speaks to his life and legacy.'' We are pleased to support this resolution.

Mr. MOORE of Kansas. Madam Speaker, I am very pleased that today the House is taking up S.J. Res. 28, a joint resolution approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower. This measure, which was approved by the Senate earlier this month; it is identical to H.J. Res. 78, which was introduced by Representative JERRY MORAN of Kansas, with my original cosponsorship. With House approval of this measure today, this legislation will be sent to the President for his signature, marking an important milestone in the construction of a national memorial to President Eisenhower.

As a member of the Executive Committee of the Dwight D. Eisenhower Memorial Commission, established under Public Law 106–79 and Public Law 107–117, I have been working with my Commission colleagues to fulfill the laws' mandate that ''an appropriate permanent memorial to Dwight D. Eisenhower should be created to perpetuate his memory and his contributions to the United States,'' and that the ''Commission shall consider and formulate plans for such a permanent memorial to Dwight D. Eisenhower, including its nature, construction and location.'' I want to take this opportunity to thank my fellow Commissioners for their dedicated work on this project, and to take particular note of the contributions of Commission Chairman Rocco C. Siciliano and Commission Executive Director Brig. General Carl W. Reddel, USAF (Ret). Working in particular with my fellow Executive Committee members Senators TED STEVENS and DANIEL INOUYE, their tireless dedication to this project has been the primary reason we have moved so far so fast with this legislation. Their outstanding work is exemplified in the Commission's biographical essay about Dwight D. Eisenhower, which I include below:

THE NATIONAL MEMORIALIZATION OF DWIGHT D. EISENHOWER

Dwight D. Eisenhower (October 14, 1890–March 28, 1969) served as the 34th President of the United States and ranks as one of the preeminent figures in the global history of the twentieth century. Eisenhower was a central leader in the victorious resolution of World War II but his lasting significance in history lies in his deep commitment to freedom, the Constitution and democracy, and his contributions to defining and sustaining an international peace for which many Americans died.

A serving officer in World War I, Eisenhower's unusual abilities led to accelerated promotions at the outset of World War II and his selection in December 1943 as Supreme Commander of the Allied Expeditionary Forces. For this position he was appointed by President Franklin D. Roosevelt and endorsed by General George C. Marshall. He commanded the largest and most complex amphibious assault in world history. In this historic role, although he asked many Americans to sacrifice their lives, he became one of the most popular political figures in America and one of the most beloved military leaders in American history.

Toward the end of World War II, Eisenhower was nominated by President Roosevelt and approved by Congress for the rank of five-star General. Upon retiring from military service, he actively served as President of Columbia University from October 1948 to January 1951. While in that position, President Truman regularly sought his advice and counsel and then recalled him to active duty, appointing him in December 1950 as the first

commander of the North Atlantic Treaty Organization's (NATO) military forces in Europe.

As the second presiding officer of the Joint Chiefs of Staff, replacing General Marshall in December 1945, he oversaw the peacetime demobilization of American military forces, recommended the continuation of universal military training and strongly advocated the unification of the armed forces.

As Eisenhower's two-term presidency began, American democratic values and national security were threatened by powerful adversaries. Passionately devoted to national security through alliances with other nations, President Eisenhower began his first administration when the Cold War's global challenges had gone beyond Europe. Convinced that a long-term strategy would be necessary to win this war, President Eisenhower sought to contain the Soviet Union militarily while building a prosperous economy. He understood the political economy of warfare better than most of his contemporaries and realized that excessive military expenditures could undermine the nation itself. Knowing that nuclear war was un-winnable and a threat to civilization, President Eisenhower promoted the peaceful uses of atomic energy, while skillfully and willingly deploying the most advanced electronic and photographic technologies to ensure American security. Simultaneously, he sustained strategic nuclear deterrence. President Eisenhower inaugurated the national security policies that guided the nation for the next three decades, leading to the peaceful end of the Cold War in 1989.

While undertaking strategic Cold War measures, President Eisenhower assiduously pursued balanced budgets with remarkable fiscal responsibility and without sacrificing necessary public works. He introduced lasting innovations to the institution of the presidency, creating the first White House chief of staff, the first congressional relations office, the first presidential assistant for national security affairs and the first presidential science advisor. He dramatically improved the transportation infrastructure of the country with construction of the interstate highway system and the St. Lawrence Seaway. The territory of the United States was expanded with the addition of the new states of Alaska (January 3, 1959) and Hawaii (August 21, 1959).

To address the increasing complexity of citizens' social needs, President Eisenhower created the Department of Health, Education and Welfare in 1953, improved Social Security by increasing benefits and placing an additional ten million Americans in the Social Security system, and dispensed free polio vaccines. In 1957, he signed the first civil rights legislation since Reconstruction.

The extraordinary accomplishments of Dwight D. Eisenhower as president and military leader are enhanced in a series of memorable addresses and speeches including—Guildhall Address (London, 1945), Chance for Peace (Washington, 1953), Atoms for Peace (United Nations, 1953), Open Skies (Geneva Summit, 1956) and the Farewell Address (1961). Similar to Washington, Eisenhower became president and commander in chief after leading his country and its allies to military victory in Europe. His preeminent historical and national significance is assured. The challenge in our national memorialization of Dwight D. Eisenhower will be to honor all facets of his extraordinary career of life-long public service in a distinct, unique and enduring manner.

Mr. MORAN of Kansas. Madam Speaker, I rise today to pay tribute to one of Kansas' most famous sons, President Dwight D. Eisenhower. His remarkable career in public service and his legacy of protecting our country and the American people is most deserving of a memorial here in our Nation's Capital.

President Eisenhower spent his childhood in Abilene, Kansas, which is located in my district. Upon graduation from Abilene High School in 1909, he enrolled at West Point. Eisenhower soon became an esteemed figure and one of the most beloved military leaders in American history. After leading the U.S. and its allies to victory in World War II, he rose to the eminent rank of five-star general and went on to become the first commander of the North Atlantic Treaty Organization's military forces in Europe. In 1953, Eisenhower became the 34th President of the United States.

Initial site approval must be granted by Congress in order for monument design plans to proceed. The Eisenhower Commission was responsible for initially selecting the four-acre location near the Department of Education that has now been designated for the memorial. I was joined by the entire Kansas delegation in supporting H.J. Res. 78, the House companion bill to S.J. Res. 28. I recognize that the designation of the memorial site is an instrumental first step in making this tribute a reality.

Eisenhower himself once said that "this world has always set a high value on leadership." Eisenhower's valiant leadership qualities, innumerable successes, and staunch defender of American liberties make him worthy of a monument attributing to such. I stand here today offering my support for this important resolution.

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

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

The SPEAKER pro tempore (Mrs. DRAKE). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 28.

The question was taken.

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

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

The yeas and nays were ordered.

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

GLENDO UNIT OF THE MISSOURI RIVER BASIN PROJECT CONTRACT EXTENSION ACT OF 2005

Mr. RENZI. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 592) to amend the Irrigation Project Contract Extension Act of 1998 to extend certain contracts between the Bureau of Reclamation and certain irrigation water contractors in the States of Wyoming and Nebraska.

The Clerk read as follows:

S. 592

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Glendo Unit of the Missouri River Basin Project Contract Extension Act of 2005".

SEC. 2. GLENDO UNIT OF THE MISSOURI RIVER BASIN CONTRACT EXTENSION.

Section 2 of the Irrigation Project Contract Extension Act of 1998 (112 Stat. 2816, 117 Stat. 1854) is amended—

(1) in subsection (a), by striking "December 31, 2005" and inserting "December 31, 2007"; and

(2) in subsection (b)—

(A) by striking "beyond December 31, 2005" and inserting "beyond December 31, 2007"; and

(B) by striking "before December 31, 2005" and inserting "before December 31, 2007".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

S. 592, introduced by Senator CRAIG THOMAS, extends nine water contracts between the Secretary of the Interior and water customers depending on the Glendo Reservoir in Wyoming until December 31, 2007. Our distinguished House colleague from Wyoming (Mrs. CUBIN) has led the effort in this Chamber to bring this bill to the floor.

To meet Endangered Species Act compliance within the Platte River basin area, Wyoming, Nebraska, and Colorado have been negotiating with the Federal Government on a recovery plan for four threatened and endangered species. Although all parties are expected to finalize and sign the recovery plan late this year, area water users need access to Glendo Reservoir water deliveries into the spring irrigation season, and this legislation ensures that while allowing the recovery plan process to go forward. I urge my colleagues to support this time-sensitive bill.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we support the passage of S. 592. This bill would allow delivery of irrigation water to continue while work is finished on the Recovery Implementation Program for four listed species that rely on Platte River habitat.

A carefully managed process is in place to implement the Platte River Cooperative Agreement and to achieve species recovery. S. 592 will allow this critical work to continue without creating hardship for farmers who depend on irrigation water.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 592.

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

A motion to reconsider was laid on the table.

AMENDING THE RECLAMATION WASTEWATER AND GROUNDWATER STUDY AND FACILITIES ACT

Mr. RENZI. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2341) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas, as amended.

The Clerk read as follows:

H.R. 2341

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

SECTION 1. AUTHORIZATION OF AUSTIN, TEXAS, WASTEWATER RECLAMATION AND REUSE PROJECT.

(a) AUTHORIZATION OF PROJECT.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) is amended by adding at the end the following:

"SEC. 1636. AUSTIN, TEXAS, WATER RECLAMATION AND REUSE PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Austin Water and Wastewater Utility, Texas, is authorized to participate in the planning (including an appraisal and feasibility study), design, and construction of, and land acquisition for, a project to reclaim and reuse wastewater, including degraded groundwaters, within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) SUNSET OF AUTHORITY.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of Public Law 102–575 (106 Stat. 4600) is amended by adding at the end of the items relating to chapter XVI the following:

''Sec. 1636. Austin, Texas, water reclamation and reuse project.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, H.R. 2341, introduced by Mr. DOGGETT, authorizes Federal participation in a water reuse project in Austin, Texas. Drought and increasing demands continue to stress existing water supplies. As a result, the city of Austin is being proactive and planning for its future water needs. This project is part of Austin's effort to create new water supplies. I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we support the passage of H.R. 2341. Similar legislation was introduced in the 107th Congress, and we commend Mr. DOGGETT for his persistence and hard work to secure authorization for this important project.

The city of Austin is keenly aware that additional sources of water will be required to meet future water demands. The city has decided to meet the expected water supply shortfall by implementing aggressive water conservation and water recycling and reclamation programs.

The water recycling project identified in this bill will be eligible for limited financial assistance under the Bureau of Reclamation's title 16 water recycling program. Water recycling and desalination projects are proven technologies that can help stretch limited water supplies in areas such as Texas.

I want to express our full support for this legislation, and I offer my congratulations to Mr. DOGGETT for his leadership.

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

Mrs. CHRISTENSEN. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DOGGETT), the sponsor of the bill.

Mr. DOGGETT. Madam Speaker, I appreciate the comments of both of my colleagues on the floor and the support of both the chairmen and the ranking members and staff of the Resources Committee and the subcommittee.

I rise in support of this legislation that I have offered on behalf of the City of Austin in addressing the growing water needs that we have in Central Texas in a fiscally and environmentally responsible way.

This particular project deals with the design, planning, and construction of a project to use wastewater and reclaim it in our community.

The Bureau of Reclamation was originally authorized to get involved with such projects in 1992, and this bill adds Austin to the list of eligible projects under what is known as Title 16. The bill will help the City with Federal funds to supplement what Austin is already doing locally to expand our water reclamation facilities.

Under Title 16, Federal participation is limited, and the City will remain responsible for at least three-fourths of the cost of the project.

Reclaimed water, or treated wastewater, is generally used when high-quality drinkable water is not required, such as for irrigation, industrial cooling towers, and for various manufacturing purposes.

For more than 20 years, the City of Austin has operated its own water reclamation project for irrigation and to supply the composting operations at the Hornsby Bend Plant on the Colorado River.

In Texas, although we have some mighty powerful rivers, we also have a mighty thirsty State. I believe that by conserving the many resources with which we have been blessed in Central Texas, we can ensure an ample water supply for the indefinite future.

This reclamation initiative will reduce the demand on Austin's existing water supply and conserve high-quality water from the Colorado River for human consumption.

Austin's existing reclaimed water system consists of 16 miles of pipe, 1.5 million gallons of storage in 2 tanks, 3 pump stations, and 2 pressure zones. We envision a much-expanded system under the master plan. We will reclaim water through 123 miles of pipe, 17 million gallons of storage, and multiple pump stations and pressure zones. For the system to grow from its existing limited capacity to its ultimate size will take about $200 million in additional infrastructure over the coming years. When completed, the expanded system authorized by this bill could eventually save as much as 9 billion gallons of water every year.

Austin is already a national leader in planning for a sustainable future that improves our quality of life, boosts economic development, and protects the environment. Water conservation is a key part of that plan and a critical issue for a growing economy in an environmentally-minded city. Even with active water conservation programs, the maximum daily demand for water in Austin increased by 43 percent during the 1990s. Austin recognizes that aggressive conservation efforts can meet about half of our future shortfall, but expanding our reclamation capabilities can get us the rest of the way there.

Ben Franklin once said, ''When the well is dry, we know the worth of water.'' Well, this bill demonstrates that Austinites know the worth of water before our source of water goes

dry, and we are taking steps to ensure water for our future.

The City and the Bureau of Reclamation have already advanced the project by completing a favorable Appraisal Report and beginning a Feasibility Study. The Appraisal Report concluded that the city's projected water ''shortage can be eliminated by more aggressive water reclamation'' and that ''there is a Federal interest in pursuing water reclamation and reuse investigations in Austin.''

In 1907, Theodore Roosevelt said, ''The conservation of natural resources is the fundamental problem. Unless we solve that problem, it will avail us little to solve all others.'' With your help, the capital of the Lone Star State can make even more significant strides in managing its water resources. I urge approval of this legislation.

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

Mr. RENZI. Madam Speaker, I appreciate the leadership of the gentleman from Texas, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 2341, as amended.

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

A motion to reconsider was laid on the table.

TELEPHONE RECORDS AND PRIVACY PROTECTION ACT OF 2006

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4709) to amend title 18, United States Code, to strengthen protections for law enforcement officers and the public by providing criminal penalties for the fraudulent acquisition or unauthorized disclosure of phone records, as amended.

The Clerk read as follows:

H.R. 4709

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Telephone Records and Privacy Protection Act of 2006''.

SEC. 2. FINDINGS.

Congress finds that—

(1) telephone records can be of great use to criminals because the information contained in call logs may include a wealth of personal data;

(2) call logs may reveal the names of telephone users' doctors, public and private relationships, business associates, and more;

(3) call logs are typically maintained for the exclusive use of phone companies, their authorized agents, and authorized consumers;

(4) telephone records have been obtained without the knowledge or consent of consumers through the use of a number of fraudulent methods and devices that include—

(A) telephone company employees selling data to unauthorized data brokers;

(B) ''pretexting'', whereby a data broker or other person represents that they are an authorized consumer and convinces an agent of the telephone company to release the data; or

(C) gaining unauthorized Internet access to account data by improperly activating a consumer's account management features on a phone company's webpage or contracting with an Internet-based data broker who trafficks in such records; and

(5) the unauthorized disclosure of telephone records not only assaults individual privacy but, in some instances, may further acts of domestic violence or stalking, compromise the personal safety of law enforcement officers, their families, victims of crime, witnesses, or confidential informants, and undermine the integrity of law enforcement investigations.

SEC. 3. FRAUD AND RELATED ACTIVITY IN CONNECTION WITH OBTAINING CONFIDENTIAL PHONE RECORDS INFORMATION OF A COVERED ENTITY.

(a) OFFENSE.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1038 the following:

''§ 1039. Fraud and related activity in connection with obtaining confidential phone records information of a covered entity

''(a) CRIMINAL VIOLATION.—Whoever, in interstate or foreign commerce, knowingly and intentionally obtains, or attempts to obtain, confidential phone records information of a covered entity, by—

''(1) making false or fraudulent statements or representations to an employee of a covered entity;

''(2) making such false or fraudulent statements or representations to a customer of a covered entity;

''(3) providing a document to a covered entity knowing that such document is false or fraudulent; or

''(4) accessing customer accounts of a covered entity via the Internet, or by means of conduct that violates section 1030 of this title, without prior authorization from the customer to whom such confidential phone records information relates;

shall be fined under this title, imprisoned for not more than 10 years, or both.

''(b) PROHIBITION ON SALE OR TRANSFER OF CONFIDENTIAL PHONE RECORDS INFORMATION.—

''(1) Except as otherwise permitted by applicable law, whoever, in interstate or foreign commerce, knowingly and intentionally sells or transfers, or attempts to sell or transfer, confidential phone records information of a covered entity, without prior authorization from the customer to whom such confidential phone records information relates, or knowing or having reason to know such information was obtained fraudulently, shall be fined under this title, imprisoned not more than 10 years, or both.

''(2) For purposes of this subsection, the exceptions specified in section 222(d) of the Communications Act of 1934 shall apply for the use of confidential phone records information by any covered entity, as defined in subsection (h).

''(c) PROHIBITION ON PURCHASE OR RECEIPT OF CONFIDENTIAL PHONE RECORDS INFORMATION.—

''(1) Except as otherwise permitted by applicable law, whoever, in interstate or foreign commerce, knowingly and intentionally purchases or receives, or attempts to purchase or receive, confidential phone records information of a covered entity, without prior authorization from the customer to whom such confidential phone records information relates, or knowing or having reason to know such information was obtained fraudulently, shall be fined under this title, imprisoned not more than 10 years, or both.

''(2) For purposes of this subsection, the exceptions specified in section 222(d) of the Communications Act of 1934 shall apply for the use of confidential phone records information by any covered entity, as defined in subsection (h).

''(d) ENHANCED PENALTIES FOR AGGRAVATED CASES.—Whoever violates, or attempts to violate, subsection (a), (b), or (c) while violating another law of the United States or as part of a pattern of any illegal activity involving more than $100,000, or more than 50 customers of a covered entity, in a 12-month period shall, in addition to the penalties provided for in such subsection, be fined twice the amount provided in subsection (b)(3) or (c)(3) (as the case may be) of section 3571 of this title, imprisoned for not more than 5 years, or both.

''(e) ENHANCED PENALTIES FOR USE OF INFORMATION IN FURTHERANCE OF CERTAIN CRIMINAL OFFENSES.—

''(1) Whoever, violates, or attempts to violate, subsection (a), (b), or (c) knowing that such information may be used in furtherance of, or with the intent to commit, an offense described in section 2261, 2261A, 2262, or any other crime of violence shall, in addition to the penalties provided for in such subsection, be fined under this title and imprisoned not more than 5 years.

''(2) Whoever, violates, or attempts to violate, subsection (a), (b), or (c) knowing that such information may be used in furtherance of, or with the intent to commit, an offense under section 111, 115, 1114, 1503, 1512, 1513, or to intimidate, threaten, harass, injure, or kill any Federal, State, or local law enforcement officer shall, in addition to the penalties provided for in such subsection, be fined under this title and imprisoned not more than 5 years.

''(f) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial jurisdiction over an offense under this section.

''(g) NONAPPLICABILITY TO LAW ENFORCEMENT AGENCIES.—This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or political subdivision of a State, or of an intelligence agency of the United States.

''(h) DEFINITIONS.—In this section:

''(1) CONFIDENTIAL PHONE RECORDS INFORMATION.—The term 'confidential phone records information' means information that—

''(A) relates to the quantity, technical configuration, type, destination, location, or amount of use of a service offered by a covered entity, subscribed to by any customer of that covered entity, and kept by or on behalf of that covered entity solely by virtue of the relationship between that covered entity and the customer;

''(B) is made available to a covered entity by a customer solely by virtue of the relationship between that covered entity and the customer; or

''(C) is contained in any bill, itemization, or account statement provided to a customer by or on behalf of a covered entity solely by virtue of the relationship between that covered entity and the customer.

''(2) COVERED ENTITY.—The term 'covered entity'—

''(A) has the same meaning given the term 'telecommunications carrier' in section 3 of the Communications Act of 1934 (47 U.S.C. 153); and

''(B) includes any provider of IP-enabled voice service.

''(3) CUSTOMER.—The term 'customer' means, with respect to a covered entity, any individual, partnership, association, joint stock company, trust, or corporation, or authorized representative of such customer, to whom the covered entity provides a product or service.

''(4) IP-ENABLED VOICE SERVICE.—The term 'IP-enabled voice service' means the provision of real-time voice communications offered to the public, or such class of users as to be effectively available to the public, transmitted through customer premises equipment using TCP/IP protocol, or a successor protocol, (whether part of a bundle of services or separately) with interconnection capability such that the service can originate traffic to, or terminate traffic from, the public switched telephone network, or a successor network.''.

(b) CHAPTER ANALYSIS.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding after the item relating to section 1038 the following:

''1039. Fraud related activity in connection with obtaining confidential phone records information of a covered entity.''.

SEC. 4. SENTENCING GUIDELINES.

(a) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 1039 of title 18, United States Code.

(b) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal sentencing guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4709 currently under consideration.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 4709, the Law Enforcement and Phone Privacy Protection Act of 2006. This legislation will protect the privacy of consumers' cell phone records and create new criminal penalties for the unauthorized purchase, sale or disclosure of such records.

Certain unscrupulous companies operating on the Internet use deception to acquire an individual's phone records and then sell this personal information. Typically these companies employ a tactic known as ''pretexting'' to deceive the phone companies.

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By impersonating the actual cell phone account holder, these companies are often able to obtain significant private information about the individuals.

This practice not only presents a threat to the privacy of the average consumer; the Judiciary Committee has also learned that criminals have employed these services to determine the identity of undercover law enforcement officers as well as suspected confidential informants and witnesses. Additionally, stalkers and domestic users can use such information to track a victim's location and associates.

Amazingly, none of this is clearly illegal under Federal law. H.R. 4709 targets pretexting and other deceptive practices not adequately addressed by the current law and provides express protection in the criminal code for the privacy of confidential phone records information. These important new consumer protections cover the records and calling logs of cellular, land line, Voice-Over-Internet-Protocol users, and accomplish this goal on a technology neutral basis. The bill also establishes specific criminal penalties for the fraudulent acquisition or disclosure of such records without the consent of the consumer.

More specifically, the bill prohibits third parties from purchasing or receiving confidential phone records information without the prior authorization of the consumer, or knowing or having reason to know that the information was obtained fraudulently. It exempts use of information by any covered entity if such use would be permissible under existing laws governing the handling of such information by telecommunications carriers. This exception includes any uses by agents, contractors, or joint venture partners to receive the confidential phone records acting on behalf of the covered entity to perform any of the functions permitted under existing law.

The bill also provides enhanced criminal penalties for anyone who engages in large scale operations to violate the law, or who discloses or uses fraudulently obtained confidential phone records information in furtherance of crimes of violence, including domestic violence and stalking, or to kill, injure or intimidate a witness, juror, confidential informant, or law enforcement officer.

The bill under consideration today incorporates several technical and conforming changes to the text that was reported unanimously by the Judiciary Committee on March 2 this year. This bipartisan legislation is supported by the U.S. Department of Justice, the National Center For Victims of Crime, the Cellular Telecommunications and Internet Association, and all of the major land line and mobile telephone companies.

I commend the chairman of the Subcommittee on Courts, the Internet, and Intellectual Property, Lamar Smith, for introducing this important measure. I also want to thank Judiciary Committee Ranking Member CONYERS, Congressman GOODLATTE, and Congressman SCOTT for their contributions to this legislation.

Madam Speaker, H.R. 4709 provides consumers with important new protections for the confidentiality of their calling records without compromising the legitimate lawful interests of law enforcement, emergency services and cellular telephone service providers. I urge my colleagues to support this sensible piece of legislation and hope that the Members of the other body will consider and pass this bill expeditiously.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mrs. DRAKE). Without objection, the 20 minutes will be controlled by the gentlewoman from Texas (Ms. JACKSON-LEE).

There was no objection.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

I rise with great pleasure and enthusiasm as one of the supporters of this legislation, Telephone Records and Privacy Protection Act of 2006, H.R. 4709; and I am pleased to acknowledge Mr. LAMAR SMITH and JOHN CONYERS as the original sponsors of this legislation.

I thank the chairman for yielding me this time, and I add my applause to legislation that makes several important and noteworthy changes to current law.

First and foremost, it establishes a new criminal offense against anyone who knowingly and intentionally obtains or attempts to obtain the confidential phone records of a third party through any one of the bill's several enumerated schemes or devices to defraud. Penalties for violating this prohibition include a fine or a term of imprisonment of not more than 20 years, or both.

Second, the bill establishes a new set of criminal penalties for anyone who knowingly and intentionally sells or purchases the confidential phone records of a third party without proper authorization or knowing that such records were obtained through fraud. Violators of either of these two provisions are subjected to a maximum term of imprisonment of up to 5 years.

Finally, in an effort to offer increased protection to the likely victims of such activities, this legislation includes a series of enhanced criminal penalties against any individual who engages in any one of the aforementioned crimes knowing that such information was sought in furtherance of or with the intent to commit any one of the bill's dozen or so enumerated offenses. Individuals specifically protected under this provision include potential victims of domestic-violence-related offenses, jurors, criminal witnesses, confidential informants, and law enforcement officers.

Recent investigations undertaken by State and Federal law enforcement officials have demonstrated the ease with which an individual can obtain the confidential calling records of a third party. By simply contacting one of the

many on-line data brokers that currently exist, the private records of anyone sitting in this room could be filtered into the public domain within a matter of minutes.

And if put into the wrong hands, such information could be used to commit countless crimes of violence, including acts of domestic violence, retaliatory acts against law enforcement officers, or acts aimed at undermining our current criminal justice system.

Madam Speaker, I think it is important to note that as we fight the crime of identity theft, this new and innovative legislation puts a dagger in some aspects of that. For example, the records of high-ranking officials dealing with government business could be secured, whether it is local, State or Federal, and put various actions of the government in jeopardy.

And, yes, a law enforcement officer that may be undercover, those records can be secured and immediately put that law enforcement officer in great jeopardy of his or her life.

And, finally, for those of us who are parents, we understand what it means to be able to communicate with a young person through a cell phone. Just imagine a stalker or a child predator securing those records of your teenage son or daughter. What a horrific thought to think.

And so it is important that this legislation be passed for the protection of Americans all over this country and as well for the integrity of our technology system.

The bill before us seeks to stop these potential abuses from becoming a reality, and I strongly urge my colleagues to support this worthwhile measure.

I am pleased to acknowledge LAMAR SMITH and JOHN CONYERS as the original sponsors of this bill. This legislation makes several important and noteworthy changes to current law.

First and foremost, it establishes a new criminal offense against anyone who knowingly and intentionally obtains, or attempts to obtain, the confidential phone records of a third party through any one of the bill's several enumerated schemes or devices to defraud. Penalties for violating this prohibition include a fine or a term of imprisonment of not more than 20 years, or both.

Second, the bill establishes a new set of criminal penalties for anyone who knowingly and intentionally sells or purchases the confidential phone records of a third party, without proper authorization or knowing that such records were obtained through fraud. Violators of either of these two provisions are subjected to a maximum term of imprisonment of up to 5 years.

Finally, in an effort to offer increased protection to the likely victims of such activities, the legislation includes a series of enhanced criminal penalties against any individual who engages in any one of the aforementioned crimes knowing that such information was sought in furtherance of, or with the intent to commit any one of the bill's dozen or so enumerated offenses. Individuals specifically protected under this provision include potential victims of domestic-violence related offenses, jurors, criminal witnesses, confidential informants and law enforcement officers.

Recent investigations that have been undertaken by State and Federal law enforcement officials have demonstrated the ease with which an individual can obtain the confidential calling records of a third party. By simply contacting one of the many online data brokers that currently exist, the private records of anyone sitting in this room could be filtered into the public domain within a matter of minutes.

And, if put into the wrong hands, such information could be used to commit countless crimes of violence, including acts of domestic violence, retaliatory attacks against law enforcement officers, or acts aimed at undermining our current criminal justice system.

The bill before us seeks to stop these potential abuses from becoming a reality. I strongly urge my colleagues to support this worthwhile measure.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH), the author of the bill.

Mr. SMITH of Texas. Madam Speaker, since I introduced this legislation, I rise in strong support of the Telephone Records and Privacy Protection Act of 2006, the TRAPP Act. And I want to thank Chairman SENSENBRENNER for his leadership and continuing support of this bicameral and bipartisan bill.

Madam Speaker, few things are more personal and potentially more revealing than our telephone records. Who we call can reveal much about our business and personal lives, including intimate details about one's medical or financial condition. Calling records can even be used to identify a caller's location. In some cases the unauthorized release of personal information like a phone record can lead to a tragic result.

Unfortunately, existing Federal statutes that could be used to target data thieves are inadequate. These statutes have clearly not deterred data burglars from treating confidential phone record information as a commodity to be bought and sold over the Internet without the consent of consumers, sometimes for as little as $100.

The underlying bill targets companies and individuals who traffic in fraudulently obtained confidential phone records and provides new protections for the privacy of calling logs themselves. It establishes a new section, 1039, in title 18 of the United States Code, that will provide explicit penalties for those who use fraud to obtain confidential phone records.

Madam Speaker, the bill imposes a prison sentence of up to 10 years and a fine of up to $500,000 on any person who, in interstate commerce, sells, transfers, purchases or receives confidential phone records of a telephone company without the prior consent of the consumer.

The bill includes enhanced penalties for cases where the information is used in furtherance of crimes of domestic violence or a threat to law enforcement officials or their families.

We need to pass this bill to demonstrate that we take seriously the obligation to protect the confidentiality of consumer telephone records and to make clear to data thieves that their conduct will result in a felony conviction.

This legislation supports crime victims, prosecutors, and companies and individuals who have been the targets of this fraud. A companion measure is expected to be introduced soon in the Senate.

Madam Speaker, I urge my colleagues to support this legislation.

Mr. SENSENBRENNER. Madam Speaker, at this time I have no further speakers, and I am prepared to yield back if the gentlewoman from Texas will yield back.

Ms. JACKSON-LEE of Texas. Madam Speaker, I include the following letters of support for this legislation:

CONSUMERS UNION,
Washington, DC., February 8, 2006.

Hon. CHARLES SCHUMER,
U.S. Senate,
Washington, DC.
Hon. ARLEN SPECTER,
U.S. Senate,
Washington, DC.
Hon. BILL NELSON
U.S. Senate,
Washington, DC.

DEAR SENATORS SCHUMER, SPECTER AND NELSON: Consumers Union, the publisher of Consumer Reports, supports the Consumer Telephone Records Protection Act of 2006, S. 2178, and applauds your leadership on this critical consumer issue.

The Consumer Telephone Records Protection Act would go far in protecting consumers' private telephone records. Consumers have a reasonable expectation that their calling records will not be released to anyone other than themselves. Congress must meet that expectation by preventing stalkers, identity thieves, and shady data-brokers from accessing consumers' personal telephone calling records. Subjecting to criminal penalties the selling of those records and the practice of pretexting to obtain them will serve as a strong deterrence.

Importantly, instead of simply reaffirming Federal Trade Commission authority to enforce penalties against unfair and deceptive trade practices, the Consumer Telephone Records Protection Act ensures that other federal entities are empowered to protect consumers' calling records. Additionally, the bill covers all wireline, wireless and VoIP services, protecting the rights of consumers to keep their phoning records private regardless of which platform they use.

We look forward to working with you toward adoption of S. 2178 as well as other complementary measures required to protect consumers phone records. These include stronger enforcement powers and penalties for FTC and the Federal Communications Commission; mandatory consumer notice when calling records have been requested or provided to any party; requirements that consumers affirmatively opt-in before any of their records are shared, even with affiliates of the phone company; and finally, provisions strengthening carrier internal processes for safeguarding consumer information under Section 222 of the 1934 Communications Act, with tough penalties for noncompliance.

We applaud your swift action and thank you for your leadership to protect consumers. We look forward to working with you toward effective, enforceable consumer phone record privacy legislation.

We look forward to working with you toward enactment of this important legislation.

Respectfully,

JEANNINE KENNEY,
Senior Policy Analyst.

VERIZON WIRELESS APPLAUDS CELL PHONE PRIVACY BILL

BEDMINSTER, NJ.—Senators Charles Schumer of New York, Arlen Specter of Pennsylvania and Bill Nelson of Florida proposed legislation in the U.S. Senate today to make it a crime for someone to obtain cell phone customer calling or billing information under false pretenses or for a wireless company employee to sell such customer information. Verizon Wireless issued the following statement from Steve Zipperstein, vice president of legal & external affairs, in response to the filing:

''As the first wireless company in the U.S. to take legal action to protect cell phone customers' private account information from so-called online data brokers, Verizon Wireless applauds the efforts of Senators Schumer, Specter and Nelson to protect our customers' privacy from the crooks and predators who we've been hauling into civil court. The criminal penalties in this bill will provide another powerful weapon in the legal arsenal that the private sector and the government can use to protect consumers. We believe this legislation will give federal prosecutors and others in law enforcement the tools they need to crack down on this despicable practice and help defend the privacy of U.S. cell phone customers.''

Verizon Wireless' record of aggressively protecting customer privacy has put the company at the forefront of the U.S. wireless industry.

On September 15, 2005, Verizon Wireless secured a permanent injunction against Source Resources Inc, a Tennessee-based company, to halt its illegal practice of obtaining and selling confidential customer telephone records. Verizon Wireless brought the lawsuit, believed to be the first of its kind, after one of its customers reported that his confidential wireless phone records had been secured without his permission by Source Resources. http://news.vzw.com/news/2005/09/pr2005-09-15.html

On November 9, 2005, Verizon Wireless obtained an immediate injunction against Global Information Group (GIG) of Temple Terrace, FL after the company made ''thousands of attempts'' to gather confidential information without proper authorization and used various fraudulent ''schemes'' to do so, including impersonating Verizon Wireless employees and posing as Verizon Wireless customers. The suit is pending. http://news.vzw.com/news/2005/11/pr2005-11-09a.html

In other actions to protect customer privacy: Verizon Wireless won permanent injunctions to stop two telemarketing firms—Intelligent Alternatives of San Diego, CA, and Resort Marketing Trends of Coral Springs, FL,—from making calls to Verizon Wireless customers by using auto-dialers and recorded messages. Federal consumer protection law prohibits use of auto-dialers or prerecorded messages in calls to cell phones—http://news.vzw.com/news/2005/12/pr2005-12-09.html

Verizon Wireless filed a lawsuit seeking an injunction against Passport Holidays of Ormond Beach, FL for violating federal and state laws after it sent more than 98,000 unsolicited short text messages to Verizon Wireless customers informing them they supposedly had won a cruise to the Bahamas and asking them to call to claim their prize—http://news.vzw.com/news/2005/11/pr2005-11-23.html

In August 2004, Verizon Wireless obtained an injunction against Rhode Island resident Jacob Brown, a known spammer who had been sending numerous text message solicitations to Verizon Wireless customers—http://news.vzw.com/news/2004/08/pr2004-08-30.html

In June 2004, Verizon Wireless broke with the wireless industry by becoming the first to announce it would protect customer privacy by refusing to participate in a national wireless phone directory—http://news.vzw.com/news/2004/06/pr2004-06-21.html

SPRINT NEXTEL SUES TO SHUT DOWN ONLINE SERVICES THAT ILLEGALLY OBTAIN AND SELL CONFIDENTIAL TELEPHONE RECORDS

RESTON, VA.—(Business Wire)—Jan. 27, 2006—Sprint Nextel Corp. (NYSE:S) announced today that it has filed a lawsuit against the parent company of four online data brokers that use illegal and deceptive practices to obtain and sell wireless customer call detail records. Sprint Nextel states within the Complaint that 1st Source Information Specialists Inc., parent company of www.locatecell.com, www.celltolls.com, www.datafind.org and www.peoplesearchamerica.com, employs fraudulent tactics, such as posing as customers seeking information about their own accounts, to access cell phone logs and phone numbers.

In the suit filed today in Florida, Sprint Nextel states that the schemes conducted by these fraudulent online services invade the privacy of Sprint Nextel's customers. Sprint Nextel has requested both temporary and permanent injunctions against 1st Source Information Specialists Inc.

''Protection of confidential customer information is our number one priority and we are taking aggressive action to ensure that any threat to privacy is eliminated immediately,'' said Kent Nakamura, vice president for telecom management and chief privacy officer for Sprint Nextel. ''1st Source Information Specialists continues to display egregious disregard for privacy, and previous industry-driven actions do not appear to have deterred their illegal activities. We can assure our customers that we will make every effort to put these services out of business.''

To further demonstrate its commitment to protecting consumer privacy, Sprint Nextel is supporting federal legislation that seeks to increase criminal and/or civil penalties against third party companies that fraudulently seek to obtain, sell or distribute customer records. In particular, Sprint Nextel hails legislation crafted by senators Charles Schumer of New York, Arlen Specter of Pennsylvania and Bill Nelson of Florida for its provisions that make it illegal to obtain telephone customer records, and that stiffen prison sentences and fines for those companies fraudulently selling information. Sprint Nextel looks forward to working with these senators and other members of Congress to pass the legislation that best protects consumers and ends this fraudulent practice.

In addition to launching a legal assault on these illegal activities, Sprint Nextel's corporate security and customer care teams employ safeguards to protect confidential customer information from unauthorized access. Sprint Nextel customer service agents have been made aware of the fraudulent tactics used by online data brokers, and they are trained to follow detailed authentication procedures when responding to customer inquiries. Sprint Nextel's security practices were validated in 2005 when the company was awarded the ''Best Practice in Security for Governance'' by the Aberdeen Group.

Sprint Nextel strongly encourages its customers to take precautions to protect themselves. In particular, Sprint Nextel recommends that customers regularly change passwords used to access account information on the Sprint.com web site or when calling customer care, and select unique passwords to access voicemail messages on Sprint phones. For additional customer privacy tips, please go to www.sprint.com/privacy.

COUNTY OF LOS ANGELES,
Monterey Park, CA, March 29, 2006.

Hon. CHARLES SCHUMER,
U.S. Senate,
Washington, DC.

UNITED STATES SENATE BILL 2178—SUPPORT CONSUMER TELEPHONE RECORDS PROTECTION ACT OF 2006 AS INTRODUCED ON JANUARY 18, 2006

DEAR SENATOR SCHUMER: The Los Angeles County Sheriff's Department is proud to support your United States Senate Bill 2178 (S. 2178). This Bill would prohibit the obtaining, by fraud or other unauthorized means, of confidential phone record information.

Recently, there has been a lot of media focus regarding the sale of another's cell phone records over the internet. Many companies, charging as little as $20, offer to research and provide a month's worth of cell phone call information, no questions asked.

With the above in mind, S. 2178 seeks to correct this serious situation by prohibiting another from obtaining this information under false pretense or selling such information by any person, including an employee of the provider.

As Sheriff of Los Angeles County, I support S. 2178. Should you need further assistance regarding this issue please do not hesitate to contact me directly at (323) 526–5000, or my Legislative Advocate, Sergeant Wayne Bilowit, at (323) 240–5696.

Sincerely,

LEROY D. BACA,
Sheriff

T-MOBILE SUES CELL RECORD BROKERS FOR CRIMINAL PROFITEERING

BELLEVUE, WA., January 23, 2006—In an effort to restrain the unlawful activities of entities that attempt to fraudulently obtain confidential customer information, T-Mobile USA, Inc. is bringing legal action against online data brokers the company believes are involved in illegitimately obtaining and selling call records. Acting under Washington State criminal profiteering laws, T-Mobile today filed suit in King County, Wash., Superior Court seeking an injunction to stop Locatecell.com, as well as related companies and individuals, from engaging in such illegal behavior. T-Mobile also is prepared to take similar legal action against other believed violators.

''To further safeguard the privacy of our customers, T-Mobile is taking action to prosecute these online data brokers to the fullest extent permitted by the law,'' said Dave Miller, Senior Vice President and General Counsel, T-Mobile USA. ''For the protection of all wireless customers, their illegal actions must be stopped.''

T-Mobile also endorses the need for federal legislation making it a crime for anyone to obtain, sell or distribute, through fraudulent means, the private calling records of mobile phone customers.

''T-Mobile supports adoption of federal legislation making it clear that fraudulent activities by third parties to obtain, sell, or distribute call records is a crime,'' said Tom Sugrue, T-Mobile's Vice President of Government Affairs. ''Legislation should address the deplorable and deceptive actions of these third-party brokers who illegitimately obtain and sell call records without the knowledge or consent of wireless customers. We

applaud the FCC's recent citations against brokers that have defied its subpoenas.''

Legislation introduced by Sens. Schumer, Specter and Nelson and co-sponsored by Sens. Burns and Reid, takes particular aim at these perpetrators, defined as anyone who sells or obtains confidential customer information through deception or unauthorized access to a telephone company's data. T-Mobile commends this bipartisan group of Senators for targeting privacy predators such as online brokers in an effort to bolster protections for consumers. T-Mobile looks forward to working with members of Congress to resolve this important privacy concern.

As a result of data uncovered during a continuing, thorough internal investigation, T-Mobile had issued numerous cease and desist letters against companies that were believed to have illegally obtained and sold phone-calling records of some of its customers.

T-Mobile reiterates that it is important for customers to continue to take steps to protect their accounts by utilizing passwords. T-Mobile urges all users of mobile phone services to take the following password protection steps:

Create separate passwords for voicemail, online access, and for use when calling customer care about your billing account.

Set complex passwords using both numbers and letters where appropriate.

Avoid common passwords such as birth dates, family or pet names and street addresses.

Change your passwords at least every 60 days.

Memorize your passwords.

Don't share passwords with anyone.

''T-Mobile takes customer privacy seriously. Customer protection is a primary concern. We have invested millions of dollars to help protect customer information, and we continue to further reinforce our systems. Our customer phone records are not for sale,'' said Sugrue. ''We encourage Congress and the FCC to act swiftly to bring the illegal activity of online data brokers to an end.''

Mr. SMITH of Texas. Madam Speaker, since I introduced this legislation, I rise in strong support of the ''Telephone Records and Privacy Protection Act of 2006 (the TRAPP Act).''

And I want to thank Chairman SENSENBRENNER for his leadership and continuing support of this bicameral and bipartisan bill.

Madam Speaker, few things are more personal and potentially more revealing than our phone records.

Who we call can reveal much about our business and personal lives, including intimate details about one's medical or financial condition.

Calling records can even be used to identify a caller's location.

In some cases, the unauthorized release of personal information like a phone record can lead to a tragic result.

Unfortunately, existing Federal statutes that could be used to target data thieves are inadequate.

These statutes have clearly not deterred data burglars from treating confidential phone records information as a commodity, to be bought and sold on the Internet, without the consent of consumers, for about $100.

The underlying bill targets companies and individuals who traffic in fraudulently obtained confidential phone records and provides new protections for the privacy of calling logs.

It establishes a new section 1039 in Title 18 of the United States Code that will provide explicit penalties for those who use fraud to obtain confidential phone records.

The bill imposes a prison sentence of up to 10 years and a fine of up to $500,000 on any person who in interstate commerce sells, transfers, purchases or receives confidential phone records of a telephone company without the prior consent of the customer.

The bill includes enhanced penalties for cases where the information is used in furtherance of crimes of domestic violence or threat to law enforcement officers or their families.

We need to pass this bill to demonstrate that we take seriously the obligation to protect the confidentiality of consumer telephone records and to make clear to data thieves that their conduct will result in a felony conviction.

This legislation supports crime victims, prosecutors, and companies and individuals who have been the targets of this fraud.

A companion measure is expected to be introduced soon in the Senate.

Mr. GOODLATTE. Madam Speaker, I rise in strong support of H.R. 4709, the Law Enforcement and Phone Privacy Protection Act. I was pleased to join with Representatives SMITH, CONYERS and SCOTT to introduce this important legislation to protect phone records from thieves and opportunists.

The sale of confidential phone records is a serious problem. for approximately $100, anyone can buy an individual's private cell phone call history. These histories catalogue every outgoing and incoming call a customer makes or receives. This information should not be available for unauthorized sale on the Internet.

The primary method thieves use to obtain this information is known as ''pretexting''. This involves an individual with some key information—a cell phone number or possibly a Social Security Number—pretending to be the subscriber to get information about an account. The Law Enforcement and Phone Privacy Protection Act puts a stop to this by imposing criminal penalties for ''pretexting,'' As well as other methods of seeking to obtain such records through the use of fraud.

Furthermore, this legislation will provide additional punishment for those who illegally sell or obtain phone records knowing they will be used in a criminal act. This is extremely important for the protection of law enforcement officers and potential victims of domestic violence, whose call histories may be particularly desireable to those who wish to do them harm.

We all use telephones and cell phones with the assumption that information about who we receive calls from and make calls to will not fall into the wrong hands. I urge the members of the house to support this legislation to ensure that phone records are protected.

Mr. CANTOR. Madam Speaker, I rise today in support of the Law Enforcement and Phone Privacy Protection Act of 2006.

As America continues to prosper, cell phones are becoming increasingly central to our everyday lives. We use this technology to keep in closer contact with our families, manage our livelihoods, and stay in touch with friends. We trust that the records of private conversations remain safe. Law enforcement must have the tools necessary to ensure the privacy of our cell phone records and prosecute those who invade our lives.

Today, criminals can use our cell phone records to expose a government informant, steal our personal information, or commit other forms of fraud.

This bill takes strong action to protect the privacy of American's cell phone records. By providing tough new protections, we can better ensure the privacy of confidential cell phone records. Law enforcement and prosecutors can impose serious criminal penalties on those who unlawfully invade and use our cell phone records.

Congress has a duty to protect all Americans and their confidential cell phone records.

Ms. ZOE LOFGREN of California. Madam Speaker, I am pleased to be an original cosponsor of this bill. I believe it provides critical privacy protections to the more than 180 million Americans who use cell phones. It will also protect the privacy of more than 100 million American homes with wired telephones. And it will protect Voice over IP users, now more than 2 million Americans and rapidly rising.

I think we've heard too many stories of how easy it is to fraudulently obtain cell phone call records and even cell phone locations. We've heard of how one political blog bought Wesley Clark's cell phone records, but the fact is lots of ordinary Americans have reason to be concerned about the privacy of their phone records. Imagine what a criminal organization could do with the cell phone call records of an undercover law enforcement agent, or what an abuser could do with a spouse's cell phone location. No one should be able to get another person's phone records through fraud, and this bill makes it a crime to purchase or use phone records obtained through fraud.

I want to thank Chairman SMITH of the Intellectual Property Subcommittee and Ranking Member CONYERS of the Judiciary Committee for their leadership in drafting this legislation, which I believe represents a sensible, bipartisan solution to a growing problem. I urge my colleagues to join me in voting to pass this bill.

Ms. JACKSON-LEE of Texas. Madam Speaker, I ask the support of this legislation, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4709, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

SUPPORTING THE GOALS AND IDEALS OF NATIONAL CYSTIC FIBROSIS AWARENESS MONTH

Mr. STEARNS. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res 357) supporting the goals and ideals of National Cystic Fibrosis Awareness Month.

The Clerk read as follows:

H. CON. RES. 357

Whereas cystic fibrosis is one of the most common life-threatening genetic diseases in the United States and one for which there is no known cure;

Whereas the average life expectancy of an individual with cystic fibrosis is 35 years, an improvement from a life expectancy of 10 years in the 1960s, but still unacceptably short;

Whereas approximately 30,000 people in the United States have cystic fibrosis, more than half of them children;

Whereas one of every 3,500 babies born in the United States is born with cystic fibrosis;

Whereas more than 10,000,000 Americans are unknowing, symptom-free carriers of the cystic fibrosis gene;

Whereas the Centers for Disease Control and Prevention recommends that all States consider newborn screening for cystic fibrosis;

Whereas the Cystic Fibrosis Foundation urges all States to implement newborn screening for cystic fibrosis to facilitate early diagnosis and treatment which improves health and longevity;

Whereas prompt, aggressive treatment of the symptoms of cystic fibrosis can extend the lives of people who have the disease;

Whereas recent advances in cystic fibrosis research have produced promising leads in gene, protein, and drug therapies beneficial to people who have the disease;

Whereas innovative research is progressing faster and is being conducted more aggressively than ever before, due, in part, to the Cystic Fibrosis Foundation's establishment of a model clinical trials network;

Whereas although the Cystic Fibrosis Foundation continues to fund a research pipeline for more than two dozen potential therapies and funds a nationwide network of care centers that extend the length and quality of life for people with cystic fibrosis, lives continue to be lost to this disease every day;

Whereas education of the public about cystic fibrosis, including the symptoms of the disease, increases knowledge and understanding of cystic fibrosis and promotes early diagnosis; and

Whereas the Cystic Fibrosis Foundation will conduct activities to honor National Cystic Fibrosis Awareness Month in May, 2006: Now, therefore, be it

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

(1) honors the goals and ideals of National Cystic Fibrosis Awareness Month;

(2) promotes further public awareness and understanding of cystic fibrosis;

(3) advocates for increased support for people who have cystic fibrosis and their families;

(4) encourages early diagnosis and access to quality care for people with cystic fibrosis to improve the quality of their lives; and

(5) supports research to find a cure for cystic fibrosis by fostering an enhanced research program through a strong Federal commitment and expanded public-private partnerships.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. STEARNS) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. STEARNS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on this resolution.

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

There was no objection.

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

Madam Speaker, I rise today in support of H. Con. Res. 357, which supports the goals and ideals of National Cystic Fibrosis Awareness Month, beginning in May. Every year in the United States, about 1,000 children are born with cystic fibrosis, or CF, a life-shortening genetic disease.

According to the Cystic Fibrosis Foundation, those children face a median life expectancy of 36 years, an average that, fortunately, has continued to increase as science and research have developed better treatment and drugs. And while a median life expectancy of 36 is unacceptably low, that figure is cause for hope for those living with the disease and, of course, their families. They know that in 1955, the year parents of children suffering from this disease formed the Cystic Fibrosis Foundation, children born with CF usually did not live to attend preschool. As the life expectancy increases, those suffering with this disease and their families continue to work for a cure or a life-extending treatment.

Madam Speaker, while a cure for cystic fibrosis remains illusive, the symptoms and effects of the disease are fairly simple. CF is one of the most common life-threatening genetic diseases in the United States. More than 30,000 people in the United States have CF, and over half of them are children.

In addition, over 10 million Americans are unknowing, symptom-free carriers of the cystic fibrosis gene. Cystic fibrosis affects the lungs and digestive system.

□ 1500

The defective gene that causes CF triggers the production of abnormally thick mucus in the lungs that leads to restricted breathing, recurring lung infections, and in many cases digestive problems. The infections deteriorate the lungs and their capacity to deliver oxygen to the body, a condition that worsens over time and in many cases even leads to death or the need for a lung transplant. One of the goals of H. Con. Res. 357 is to promote the need for early diagnosis and the importance of newborn screening so that treatment of children with CF can begin as soon as possible to improve their health and longevity.

The five decades that have passed since the founding of the Cystic Fibrosis Foundation have brought not only hope but years to the lives of those suffering from CF. The Cystic Fibrosis Foundation continues to be at the forefront of making more with less in the area of drug discovery and development. The Therapeutics Development Program, TDP, created and launched by the CF Foundation, has pioneered new ways to conduct cutting-edge, lifesaving research in a cost-effective and efficient manner. This program now includes 18 major research institutions across the country in an established clinical trials network. The TDP provides innovative companies with funding, raised through private donations to the CF Foundation, to undertake research and development on promising new drug candidates, and supports an extensive pipeline of potential new therapies. In fact, the CF Foundation currently has more than 30 drugs and therapies in various stages of clinical trials, any one of which could dramatically improve the life of someone suffering from CF. I believe that the innovative programs like the Therapeutics Development Program are part of the blueprint for more efficient and cost-effective health care and should be supported. So, as you can see, Madam Speaker, CF Foundation-sponsored research is adding precious years to the lives of those living with the disease so that they might live long enough to benefit once a cure is found.

Today there is more potential research on new drugs and therapies than funds to finance that lifesaving work. This is a problem created by a wealth of scientific riches, and one that I hope can be bridged by more public-private partnerships which leverage our world-class biotech and pharmaceutical companies with the capabilities of institutions like the National Institutes of Health to ensure that the discovery phase of identifying new drugs and compounds to treat cystic fibrosis continues. To that end the resolution before us today advocates strong partnerships between government resources like the NIH and nonprofits like the Cystic Fibrosis Foundation as a key means to improve care for those with ''orphan'' diseases like CF.

Madam Speaker, in closing, I would like to commend my friend and colleague Mr. MARKEY from Massachusetts for his leadership and work supporting this resolution and for our partnership cochairing a new Congressional Cystic Fibrosis Caucus. The Congressional Cystic Fibrosis Caucus, like this resolution, is intended to provide Members and the American public a better understanding of cystic fibrosis and the need to support the incredible work that is being done by the Cystic Fibrosis Foundation as well as through public-private collaboration to find a cure.

I would also like to thank all those Members on both sides of the aisle who have cosponsored H. Con. Res. 357 and

those who have joined the Congressional Cystic Fibrosis Caucus. And anyone who is watching is welcome to call my office or Mr. MARKEY's office. We would like to have your support, and we look forward to it.

So, my colleagues, please join me in honoring and supporting the goals and ideals of National Cystic Fibrosis Awareness Month by simply agreeing to H. Con. Res. 357.

Madam Speaker, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. DRAKE). Members should direct their comments to the Chair and not to the television audience.

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

I thank my friend from Florida Mr. STEARNS. He and I have partnered on the resolution and on cofounding the Congressional Cystic Fibrosis Caucus. And I want to thank him for his commitment to CF, its cause, and the difference that this institution can make in helping to find the cure. It is, without question, something that we can agree upon on a bipartisan basis.

The resolution before us today is to support the goals and the ideals of the National Cystic Fibrosis Awareness Month, and it is really so that we can bring the most powerful four-letter word to this cause, and that word is ''hope''; hope that the United States Government will increase its funding, will help to find the cure for this dreaded disease, that we can give hope to the families who are affected by it. And today is a really important day on that path because for the first time we do have a caucus, and this resolution in a lot of ways will memorialize that and give more momentum to finding the cure.

CF is one of the most common life-threatening genetic diseases in the United States. People with CF produce abnormally thick, sticky mucus, which makes breathing very difficult. They find, as a result, they cough and they wheeze constantly and are at constant risk for life-threatening lung infections.

Approximately 30,000 children and adults in the United States have cystic fibrosis, but it affects far more than those 30,000 people. It affects all of the families and the loved ones of those people who are struggling with this horrible disease. It affects the moms who have to wake up at 5 a.m. so that they can pound on their child's chest before they go to work. It affects their siblings who have to wait with their sister while she goes to yet another doctor's appointment. And it affects the dads who worry that their child will never grow up to have a normal life. This resolution is about supporting these families and providing them with the hope for a better future.

Significant improvements have been made in the treatment of cystic fibrosis. A few decades ago many children with CF did not live past 10 years of age. Today life expectancy is 35 years of age, and much of these achievements are due to the hard work and the dedication of the Cystic Fibrosis Foundation. That is why CFF really stands for courageous fighting families, courageous fighting friends of those families.

Yet even with this incredible work of our courageous fighting families, we still have a long way to go to provide the people with CF with a normal and healthy life. It is time for Congress to become more involved in the pursuit of a cure. We need to make a greater investment in research and make a stronger commitment to the people with CF, their families, and their caretakers.

This is something which in the 21st century we should leave as a forgotten memory, but we can only do it if we provide hope now. It is the most powerful word in the English language: Hope that we can raise awareness of the families struggling with CF, hope that we can find better treatments and ultimately a cure, hope that our children will have to turn to the history books to find that there ever was such a thing as cystic fibrosis.

I thank, again, the cochair of the caucus Mr. STEARNS. This is now going to bring a larger, more powerful spotlight on this disease. And hopefully, working together in a bipartisan fashion, we can address this as a human issue and not as a Democrat or Republican issue.

Mr. MCGOVERN. Madam Speaker, I rise in support of H. Con. Res. 357, offered by the distinguished gentleman from Florida (Mr. STEARNS). This resolution would support the goals and ideals of National Cystic Fibrosis Awareness Month.

Cystic Fibrosis is one of the most common life-threatening genetic diseases in the United States. Approximately 30,000 people in the United States have cystic fibrosis, and about 1,000 new cases of cystic fibrosis are diagnosed each year. Tragically, more than half of those with CF are children. As I stand here today, more than 10 million Americans are unknowing, symptom-free carriers of the cystic fibrosis gene.

Significant improvements have been made in the treatment of cystic fibrosis. Just a few decades ago, children with CF did not live past 10 years of age. Today the life expectancy has improved, and the number of adults with CF has steadily grown. Even so, there is no cure for this disease, and much still must be done to provide people with CF with a normal and healthy life expectancy.

Early diagnosis is the key, and that is why it's so important that we work to further public awareness and understanding of cystic fibrosis. We must increase support for those affected by this disease and ensure that they have access to quality care, and we also must support research to find a cure for CF.

I am proud to provide my support to this cause, and I ask my colleagues to join me in supporting H. Con. Res. 357 so that the month of May can be dedicated to educating all Americans about cystic fibrosis, about the courage of those who suffer from this disease, and about the important research underway to find a cure.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. STEARNS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 357.

The question was taken.

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

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

The yeas and nays were ordered.

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

AUTHORIZING USE OF CAPITOL GROUNDS FOR THE GREATER WASHINGTON SOAP BOX DERBY

Mr. SHUSTER. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 349) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read as follows:

H. CON. RES. 349

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

SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.

The Greater Washington Soap Box Derby Association (in this resolution referred to as the ''Association'') shall be permitted to sponsor a public event, soap box derby races, on the Capitol Grounds on June 17, 2006, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Association is authorized to erect upon the Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays,

and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event to be carried out under this resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Tennessee (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. SHUSTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 349.

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

There was no objection.

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

House Concurrent Resolution 349 authorizes the use of the Capitol Grounds for the 65th Annual Greater Washington Soap Box Derby to be held June 17, 2006. The resolution also authorizes the Architect of the Capitol; the U.S. Capitol Police; and the Greater Washington Soap Box Derby Association, the sponsor of the event, to negotiate the necessary arrangements for carrying out this traditional event in compliance with the rules and regulations governing the use of the Capitol Grounds.

The Greater Washington Soap Box Derby is one of the largest qualifying races in the country. This race takes place on Constitution Avenue between Delaware Avenue and Third Street, NW. Participants are residents of the Washington metropolitan area and range in age from 8 to 17. The winners of these races will represent the Washington metropolitan area at the national finals, held annually in Akron, Ohio.

I support this concurrent resolution, which continues our custom of authorizing the use of the Capitol Grounds for this exciting event, and urge my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Tennessee. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), a good friend of mine and the prime sponsor of House Concurrent Resolution 349, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

□ 1515

Mr. HOYER. Madam Speaker, I want to thank the distinguished gentleman from Tennessee (Mr. DAVIS) for yielding me time. I want to thank my friend from Pennsylvania (Mr. SHUSTER) for his leadership on this issue.

Madam Speaker, for the 16th straight year, I am proud to sponsor the resolution allowing the Greater Washington Soap Box Derby Association to hold its annual race on the grounds of the United States Capitol.

H. Con. Res. 349 authorizes the Architect of the Capitol and the Capitol Police Board to work with the Greater Washington Soap Box Derby Association to ensure that all the necessary arrangements are made to conduct this race in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The 65th annual Greater Washington Soap Box Derby will be held on Saturday, June 17.

Soap box derby racing, Madam Speaker, in our Nation's Capital has a long and rich tradition. In 1938, Norman Rocca beat out 233 other racers to win the inaugural Greater Washington Soap Box Derby, which was held on New Hampshire.

Over the years, thousands of the region's young people have participated in this great race, although the location has varied from the original site on New Hampshire Avenue to Capitol Hill, with stops on Massachusetts Avenue, Pennsylvania Avenue, and Eastern Avenue along the way.

The essence of the race has remained the same. homemade gravity-powered cars, the spirit of competition, and the pure joy of racing. The Soap Box Derby consists of dozens of drivers, both boys and girls, ranging in ages from 8 to 17. These racers are divided into three division: stock, superstock and masters. The local winners of each division will automatically qualify to compete with racers from around the world in the 69th All-American Soap Box Derby in Akron, Ohio, on July 22 of this year.

The festivities in Akron begin when the racers receive a police escort into town and conclude in the winner's circle with the awarding of scholarships and merchandise. In between, the racers and their families participate in a whirlwind of activities that leave them with enduring friendships and memories to last a lifetime.

The past 6 years, the Greater Washington Soap Box Derby has had one of its participants finish in the top 10 in the All-American competition. In fact, last year's master's division champion, Robbie Reuss of Waldorf, finished an impressive second in Akron. Robbie's finish surpassed Gene Bean's third in the 1941 All-American and is the best finish for a representative of the Greater Washington Soap Box Derby. I am very proud of Robbie, and I am hopeful that this might finally be the year when one of our racers from the Greater Washington area is finally crowned world champion.

Madam Speaker, this event has been called the greatest amateur racing event in the world, and it is an excellent opportunity for the contestants from the District of Columbia, Maryland, and Virginia to learn basic building skills while gaining a real sense of accomplishment.

Madam Speaker, I strongly encourage my colleagues, as I expect them to, to join me with the other original cosponsors of this resolution, Representative FRANK WOLF, Representative JAMES MORAN, Representative ELEANOR HOLMES NORTON, Representative AL WYNN, and Representative CHRIS VAN HOLLEN, in supporting this resolution and congratulating all the participants.

Mr. DAVIS of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, there are many things in America that are purely American. It is my understanding that the Soap Box Derby races that we have is purely an American phenomenon that started here. Other countries may have adopted it, but it is wonderful to be a part of this legislation that makes it possible for young men and young women to broaden their minds and their scientific knowledge as they develop the skills of building the eventual vehicle that they will ride, hopefully to victory.

Madam Speaker, I am delighted to support, along with Mr. HOYER, Mr. WOLF, Mr. MORAN of Virginia, Mr. WYNN, Mr. VAN HOLLEN, and Ms. NORTON House Concurrent Resolution 349, and acknowledge the efforts of Mr. HOYER, who has been such a great and consistent champion for his constituents for this event.

House Concurrent Resolution 349 authorizes use of the Capitol Grounds for the Greater Washington Soap Box Derby. On June 17, 2006 youngsters from the greater Washington area will race down Constitution Ave. to test the principles of aerodynamics in hand designed and constructed soap box vehicles. All the contestants, ages 9 through 16, construct and operate their own soap box vehicles.

Madam Speaker, the All American Soap Box Derby originated in 1933 and quickly became a national phenomenon. There are now more than 150 races currently taking place nationwide to determine 440 qualifiers for the national race finals held in Akron, Ohio.

Madam Speaker, many hundreds of volunteers donate considerable time supporting the event and providing families with a fun filled day, which is quickly becoming a tradition in the Washington, DC area. The event has grown in popularity and Washington is now known as one of the outstanding race cities.

Consistent with all events using the Capitol Grounds, this event is open to the public and free of charge. The organizers will work with the Capitol Hill Police and the Office of the Architect.

I support House Concurrent Resolution 349 and urge passage of this resolution.

Mr. OBERSTAR. Madam Speaker, I join Mr. HOYER and Ms. NORTON, together with Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. WOLF, and Mr. WYNN, in supporting House Concurrent Resolution 349, to authorize use of the Capitol Grounds for the Greater Washington Soap Box Derby. I especially want to acknowledge the dedication of Mr. HOYER, the resolution's annual sponsor, who faithfully introduces this resolution to authorize use of the Capitol Grounds for such a worthwhile event.

This annual event encourages all boys and girls, ages nine through 16, to construct and operate their own soap box vehicles. The

Washington event, which attracts a great number of spectators and extensive media coverage, has grown in size and has become one of the best-attended events in the country. The winner in each of three divisions wins a trip to the national race in Akron, as well as trophies and prizes.

The principles of aerodynamics are combined with fun and excitement for all participants and their families in the Greater Washington area. It is an excellent opportunity for parents to have direct involvement in their children's activities. The derby's mission is to provide children with an activity that promotes technical and social skills that will serve them throughout their lives.

The derby organizers will work with the Architect of the Capitol and the Capitol Police to ensure the appropriate rules and regulations are in place for the event.

I support this resolution and urge my colleagues to support House Concurrent Resolution 349.

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

Mr. SHUSTER. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. DRAKE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 349.

The question was taken.

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

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

The yeas and nays were ordered.

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

AUTHORIZING PARTICIPATION IN ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

Ms. PRYCE of Ohio. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4916) to authorize United States participation in, and appropriations for, the United States contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund.

The Clerk read as follows:

H.R. 4916

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

SECTION 1. FIRST REPLENISHMENT OF THE RESOURCES OF THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND.

The Inter-American Development Bank Act (22 U.S.C. 283 et seq.) is amended by adding at the end the following:

"SEC. 39. FIRST REPLENISHMENT OF THE RESOURCES OF THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND.

''(a) CONTRIBUTION AUTHORITY.—

''(1) IN GENERAL.—The Secretary of the Treasury may contribute on behalf of the United States $150,000,000 to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund.

''(2) SUBJECT TO APPROPRIATIONS.—The authority provided by paragraph (1) may be exercised only to the extent and in the amounts provided for in advance in appropriations Acts.

''(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the United States contribution authorized by subsection (a), there are authorized to be appropriated not more than $150,000,000, without fiscal year limitation, for payment by the Secretary of the Treasury.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Ohio (Ms. PRYCE) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. PRYCE of Ohio. Madam Speaker, I yield myself such time as I may consume.

The Multilateral Investment Fund, or MIF, was created as a mechanism to stimulate innovation and economic growth for Latin America and Caribbean countries and is operated by the Inter-American Development Bank, IADB, an organization that oversees many programs and loans that benefit the economically challenged in those areas.

Projects funded through the MIF are focused on new development approaches that work to promote inclusive economic growth. The IADB has made the central goal of the MIF to use both grants and investments to demonstrate new ways in developing micro- and small enterprises, to build workers' skills, strengthen environmental management, and improve the functions of financial markets.

This legislation fulfills the President's FY 2007 budget request for $25 million, or a total of $150 million over 6 years, to be given in replenishing the MIF and meet the U.S. commitment.

At the close of FY 2005, the total amount of projects approved by the MIF exceeded $1 billion, encompassing 799 projects with an additional $1 billion in co-financing that was put to use in meeting MIF goals.

Our authorizing this new replenishment allows for a continuation of all the good work the IADB has been doing in the area of microfinance.

Microfinance projects are especially important to developing areas in helping break the cycle of poverty by providing a loan to start a small or microenterprise, a business usually defined as having less than 10 employees in an economic hardship area.

Through small business growth, areas are then able to demonstrate that they have potential to attract wider sources of capital and enable further expansion of services for microenterprises. Building the small firm sector offers the greatest potential to generating job growth, which will lead to lasting freedom from poverty.

The MIF has pioneered the creation of venture capital for small business in Latin America and the Caribbean and continues to look for opportunities that would improve venture capital for small businesses by supporting reforms and regulatory and legislative frameworks, and by helping to remove barriers to small business financing.

This legislation honors our commitment to these countries, will attract further capital investment and help create stable, reliable trading partners in these developing nations.

Madam Speaker, I am so pleased to have the ranking members of the full committee and my subcommittee, Mr. FRANK and Mrs. MALONEY, as well as my subcommittee vice chair, Mrs. BIGGERT, and Chairman SPENCER BACHUS, joining me in supporting this replenishment; and I ask for my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mrs. MALONEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong bipartisan support of H.R. 4916, a bill that will authorize continued United States participation in and appropriations for the U.S. contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund.

This bill was introduced with strong bipartisan support by Representative PRYCE, who chairs the subcommittee on which I serve as the ranking member, Congressman FRANK, Congresswoman BIGGERT and myself, and was reported unanimously out of the committee by voice vote.

The MIF is operated by the Inter-American Development Bank and is governed by a donors committee composed of representatives of 37 member countries. The United States is the MIF's largest contributor with 42 percent, and as such exercises considerable influence over its strategic direction and the individual projects it approves.

The MIF does exactly the kinds of things that those who follow the work of the international financial institutions on both sides of the aisle wish these institutions would do. Its principal work is to administer a private sector grant program to assist in developing microenterprises which particularly help small women-owned businesses, it builds workers' skills, it strengthens environmental management, and it improves the efficiency of financial markets in Latin America and the Caribbean.

Roughly 80 percent of MIF projects are undertaken in direct partnership with private sector business associations, trade groups and non-governmental organizations. Typically, MIF resources are matched dollar for dollar with contributions from these groups.

MIF resources also leverage additional funds from other sources, providing a multiplier effect for projects

that have consistently been recognized as among the most innovative and effective of multilateral development institutions.

The total authorization for U.S. participation contained in this legislation is $150 million over 6 years. The remaining member countries have pledged over $350 million. The first installment of the U.S. contribution, $25 million, was included in the President's budget request for fiscal year 2007.

The Financial Services Committee has conducted close oversight over MIF programs since the fund was first established in 1993. In 13 years of operation, MIF has worked with over 400 private sector organizations throughout Latin America and the Caribbean, approving over $1 billion for roughly 800 different projects. The MIF is the single largest source of technical assistance for this part of the world.

One area in which the MIF's work has attracted particular attention in recent years involves the impact of remittances, transfer of money by foreigners to their home countries in that region. Thanks to the fund's efforts, the fees accompanying sending of these moneys back home have been significantly lowered, from 15 percent to 5 percent. Thanks to MIF technical assistance, the recipients of these funds have channeled them into their countries' formal financial systems, helping them to create badly needed jobs.

Madam Speaker, I would like to note that the House report that accompanies this bill mentions that the U.S. has an overdue balance resulting from the U.S. pledge to the original MIF agreement. While no funds are included in this bill for that purpose, the committee urges the administration to seek funding to pay this amount in back dues.

MIF is an example of a program that actually works. It offers proof that multilateral institutions can provide win-win solutions. MIF shows that U.S. taxpayers can benefit while hard-working citizens of Latin America and the Caribbean who wish to start a business and compete in the global economy can pull themselves out of poverty.

I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Ms. PRYCE of Ohio. Madam Speaker, I yield 3 minutes to my good friend and chairman of the subcommittee, SPENCER BACHUS.

Mr. BACHUS. Madam Speaker, I thank Chairman PRYCE, and will start by commending Chairman PRYCE and Congresswoman MALONEY and Congresswoman BIGGERT and also Ranking Member FRANK for this legislation.

A lot of citizens might be hearing this debate and they may be thinking, what has this got to do with the United States? What do problems in Latin America have to do with the United States? What is in it for me, my constituents might ask me? Why would you support spending $25 million a year on this program? What do Americans get out of this program?

I submit to you that this program is probably one of the best uses of our taxpayers' money for one simple reason: when I go home today, people say to me, illegal immigration; do something about illegal immigration.

□ 1530

Well, let me say this to fellow Members: if you want to do something about illegal immigration, this vote today, a ''yes'' vote on this bill, will do more from a practical standpoint to stem the flow of illegal immigration than anything else.

James Schlessinger, one of my favorite quotes is a quote of his when he says: ''When a problem has no solution, it is not a problem. It is a fact.''

Well, I can tell you that illegal immigration is a fact. But it is also a problem that has solutions. And the first solution, the first step to solving it we can take today by voting for this bill.

Now, why is that? Well, let me tell you about illegal immigration. Let me tell you about Mexico, one of the countries that benefits from this program. It creates small enterprises, small jobs in Mexico. In Mexico every year, 600,000 Mexicans enter the job force; but there is only room for 150,000 of them. So almost a half million of them cannot even get a job at any wage.

The ones that do get a job is at one-fifth of what Americans pay, American jobs. Guatemala, El Salvador, the Dominican Republic, we are beginning to have more and more illegal immigrants from those countries. The reason? In the countries that I have just mentioned, about one out of every five young men or women that enters the job market can get a job.

So I can tell you it is a fact of life when they cannot get a job at any salary, they are going to try to come over here. Yes, we can build walls. Yes, we can employ more people on the border. But a cheaper, more practical, more long-term solution is this legislation today which will create the very jobs these countries need. And that is not the large government enterprises. It is the private enterprise businesses.

I close by saying this: another great thing about this program is we have partners. It is not a government program. The NGOs, the private sector business organizations, trade groups, they are all involved in this.

Let us vote ''yes'' on this. Let us start creating jobs in those countries and stemming the flow of illegal immigration.

Mrs. MALONEY. Madam Speaker, I yield myself such time as I may consume.

I agree completely with the gentleman. This not only will help the economic development, but certainly will give immigrants a reason to stay in their own countries and develop their own economy.

Madam Speaker, I reserve the balance of my time.

Ms. PRYCE of Ohio. Madam Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Mrs. BIGGERT) who has done so much work in this area.

Mrs. BIGGERT. Madam Speaker, I thank the gentlewoman from Ohio (Ms. PRYCE) for yielding me time.

Madam Speaker, I rise in strong support of H.R. 4916, the bill that really authorizes the United States' contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund, which is often referred to as MIF.

I want to thank Chairman PRYCE for her leadership on the authorization bill and on all of the domestic and international economic development initiatives that she has undertaken since becoming chairman of the House Financial Services Domestic and International Monetary Policy Trade and Technology Subcommittee. It is an honor to serve as her vice-chairman.

I also thank the gentlewoman from New York (Mrs. MALONEY) for all the work that she has done as the ranking member of the committee. And I would like to thank Mr. BACHUS for really being able to put this all in context of what this really means for all of us in the United States and why this is so important.

It is important and in the U.S.'s best interest that we support international economic development initiatives as we fight the war on terror. It is especially important that we fund homegrown, microeconomic projects in developing countries.

These projects are often supported through MIF's technical and financial supports. The Inter-American Development Bank is doing important work to marry the public and private sectors, is working to engage the international community and pro-democracy, pro-free trade, and pro-free market.

Through a variety of initiatives, programs and projects, the bank is promoting sustainable economic growth in developing countries. Just as important as it is to the U.S., it is important to many developing countries to promote job growth, improve education, expand health care, enhance environmental standards, produce clean energy, develop sound infrastructure, and increase access to financial markets and institutions.

The MIF fund, which is operated by the International American Development Bank, is a critical component of all of these marks of economic stability for developing countries, particularly in Latin America and the Caribbean, as they work towards stabilizing their governments and towards sustainable economic growth.

H.R. 4916 authorizes the U.S. contribution of $150 million to MIF and sends a strong message to our neighbors in the south, and to the international community and the leaders in the Inter-American Development Bank that we support their efforts.

Madam Speaker, I would like to commend the U.S. delegation that participated in the 47th annual Inter-American Development Bank meetings that were held earlier this month and for their hard work. In particular, I would like to commend the bank's leaders and staff for taking the helm of anti-corruption initiatives and for promoting ethical practices within the bank.

In addition, I would like to recognize the new Inter-American Development president, Luis Alberto Moreno, for his leadership in promoting public-private partnerships, especially those that involve small businesses.

I would also like to thank him for facilitating discussions about Latin American debt relief and development at this year's annual meeting. MIF is a proven winner in meeting important job creation and economic goals throughout the region.

By tapping the talents, strengths, and resources of private sector groups and organization, we can continue to help others help themselves. This is a great program that leverages small dollars into big results for many people throughout Latin America.

Madam Speaker, I am again pleased to lend my support to the chairman for her legislation, and I urge my colleagues to do the same.

Mrs. MALONEY. Madam Speaker, I urge all of my colleagues to support this important legislation, and I yield back the balance of my time.

Ms. PRYCE of Ohio. Madam Speaker, I have no further requests for time. It has been a pleasure working with the gentlewoman from New York.

Ms. WATERS. Madam Speaker, I rise in support of H.R. 4916, a bill to authorize U.S. participation in the Enterprise for the Americas Multilateral Investment Fund (the Fund/MIF). The bill provides $150 million for the Fund. While this may appear to be a small amount compared to some of our other commitments to multilateral institutions, the reauthorization of the Fund represents an important step in our continuing efforts to underwrite economic development activities outside of our own borders.

In the broadest sense the Fund is designed to promote private sector development in Latin America and the Caribbean. There are two overarching themes related to the Fund. One is to reduce poverty and promote grass roots economic growth in this part of the world. By strengthening micro and small enterprise capacities, the Fund stimulates improvements in the business environment and engages the private sector in the development process. Two, by underwriting projects that promote innovation, the Fund pilots new concepts, determining their feasibility for the commercial market, as well as whether they can be adapted on a larger scale.

To date, more than 75 percent of Fund project activities have been undertaken in partnership with the private sector. More than $1 billion has been approved for 800 projects. Through these projects MIF has become one of the best known organizations with private sector partners in Latin America and the Caribbean. As the largest provider of technical assistance in the Region, it is no doubt why this reauthorization has bipartisan support. Indeed, the Fund provides a stellar example of how we can best use our resources to promote development, while reducing poverty and raising the standard of living of our neighbors. Madam Speaker, I urge support of the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. PRYCE) that the House suspend the rules and pass the bill, H.R. 4916.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. PRYCE of Ohio. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous material.

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

There was no objection.

COMMUNICATION FROM CONGRESSIONAL FELLOW OF HON. TRENT FRANKS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Julia Winding, Congressional Fellow of the Honorable TRENT FRANKS, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 18, 2006.

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

DEAR MR. SPEAKER: This is to notify you, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the Superior Court of the District of Columbia.

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,

JULIA WINDING,
Congressional Fellow.

COMMUNICATION FROM LEGISLATIVE CORRESPONDENT OF HON. LOIS CAPPS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Ramesh P. Nagarajan, Legislative Correspondent of the Honorable LOIS CAPPS, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 18, 2006.

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

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule VIII of the rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the Superior Court of the District of Columbia.

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,

RAMESH P. NAGARAJAN,
Legislative Correspondent,
Congresswoman Lois Capps.

COMMUNICATION FROM CONGRESSIONAL FELLOW OF HON. BARBARA LEE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Michelle Christensen, Congressional Fellow of the Honorable BARBARA LEE, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 19, 2006.

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

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule VIII of the rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the Superior Court of the District of Columbia.

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,

MICHELLE CHRISTENSEN,
Congressional Fellow.

COMMUNICATION FROM CONGRESSIONAL FELLOW OF HON. DONALD M. PAYNE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Deborah Greene, Congressional Fellow of the Honorable DONALD M. PAYNE, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 24, 2006.

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

DEAR MR. SPEAKER: This is to notify you, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the Superior Court of the District of Columbia.

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,

DEBORAH GREENE,
Congressional Fellow.

RECESS

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

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

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

RESIGNATION AS MEMBER OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Standards of Official Conduct:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 25, 2006.

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

DEAR MR. SPEAKER: I am resigning my seat on the Committee on Standards of Official Conduct effective today.

The reasons that I am taking this action are fully set out in my letter to Democratic Leader Pelosi of April 21, 2006, which has been publicly released.

Most sincerely,

ALAN B. MOLLOHAN

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore 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 13, 2006.

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

DEAR MR. SPEAKER: Enclosed please find thirty-five resolutions approved by the Committee on Transportation and Infrastructure on April 5, 2006, in accordance with 40 U.S.C. §3307.

Sincerely,

DON YOUNG,
Chairman.

Enclosures.

SITE ACQUISITION AND DESIGN—U.S. BORDER STATION, NOGALES, AZ

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for site acquisition and design of a 217,924 gross square foot facility and 400 outside parking spaces, located in Nogales, Arizona, at a site acquisition cost of $2,450,000 and design and review cost of $7,386,000, a prospectus for which is attached to, and included in, this resolution.

CONSTRUCTION—U.S. BORDER STATION, SAN LUIS, AZ

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for construction of a 76,794 gross square foot facility and 80 outside parking spaces, located in San Luis, Arizona, at a design and review cost of $3,306,000, management and inspection cost of $3,854,000, and estimated construction cost of $34,869,000 for an estimated total project cost of $42,029,000, a prospectus for which is attached to, and included in, this resolution.

CONSTRUCTION—U.S. BORDER STATION CALEXICO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for site acquisition and design of a 233,943 gross square foot facility and 197 new outside parking spaces, located in Calexico, California, at a site acquisition cost of $2,000,000 and a design and review cost of $12,350,000, a prospectus for which is attached to, and included in, this resolution.

CONSTRUCTION—U.S. SECRET SERVICE—REMOTE DELIVERY FACILITY II, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for construction of a mail processing and screening facility of 80,000 gross square feet and 104 outside parking spaces located in Washington, DC, at a design and review cost of $1,025,000, management and inspection cost of $2,358,000, and estimated construction cost of $36,229,000 for a combined estimated total project cost of $39,612,000, a prospectus for which is attached to, and included in, this resolution.

CONSTRUCTION—U.S. COAST GUARD CONSOLIDATION AND DEVELOPMENT OF ST. ELIZABETH'S CAMPUS, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for construction of a 1,338,000 gross square foot facility and a structured parking garage containing 1,000 spaces, located in Washington, DC, at a management and inspection cost of $31,040,000, (design and review cost of $24,900,000 was previously authorized), and an estimated construction cost of $352,957,000 for an estimated total project cost of $408,897,000, a prospectus for which is attached to, and included in, this resolution.

DESIGN—U.S. BORDER STATION, COLUMBUS, NM

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, additional appropriations are authorized for construction of a 114,202 gross square foot facility and 33 new outside parking spaces located in Columbus, NM, at a design and review cost of $2,629,000, a prospectus for which is attached to, and included in, this resolution.

CONSTRUCTION—U.S. BORDER STATION, EL PASO, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for construction of a 190,300 gross square foot facility including 100 new outside parking spaces, located in El Paso, Texas, at a management and inspection cost of $2,051,000 (design cost of $2,491,000 was previously authorized), and estimated construction cost of $18,166,000 for an estimated total project cost of $22,708,000, a prospectus for which is attached to, and included in, this resolution.

AMENDED PROSPECTUS—CONSTRUCTION—U.S. BORDER STATION, MCALLEN, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, additional appropriations are authorized for construction of a 46,648 gross square foot facility and 96 outside parking spaces located in McAllen, Texas, at an additional design and review cost of $429,000 (design and review cost of $2,375,000 was previously authorized), additional management and inspection cost of $134,000 (management and inspection cost of $1,691,000 was previously authorized), and an additional estimated construction cost of $6,915,000 (construction cost of $13,872,000 was previously authorized) for a combined estimated total project cost of $25,416,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated July 23, 2003, which authorized $2,375,000 for design and review, $1,691,000 for management and inspection, and $13,872,000 for construction.

ALTERATION—EVERETT M. DIRKSEN U.S. COURTHOUSE, CHICAGO, IL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the Everett M. Dirksen United States Courthouse located at 219 S. Dearborn Street, Chicago, Illinois, at an estimated construction cost of $89,629,000 and management and inspection cost of $6,942,000 (design cost of $8,152,000 was previously authorized), for a combined estimated total project cost of $104,723,000, a prospectus for which is attached to, and included in, this resolution.

AMENDED PROSPECTUS—ALTERATION—MARY E. SWITZER MEMORIAL FEDERAL BUILDING, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the Mary E. Switzer Memorial Federal Building located at 330 C St., SW., in Washington, DC, at an estimated construction cost of $120,600,000, a design and review cost of $10,256,000, and management and inspection cost of $9,080,000, for a combined estimated total project cost of $139,936,000 (design and review, estimated construction and management and inspection cost totaling $116,325,000 were previously authorized), a prospectus for which is attached to, and included in, this resolution.

AMENDED PROSPECTUS—ALTERATION—MAIN INTERIOR BUILDING, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the Department of Interior's main headquarters building located at 1849 C Street, NW., Washington, DC, at a design and review cost of $11,213,000, a management and inspection cost of $20,900,000, and an estimated construction cost of $211,331,000 for an estimated total project cost of $243,444,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated June 23, 2003, which authorized an estimated total project cost of $220,265,000.

ALTERATION—FOOD AND DRUG ADMINISTRATION CENTER FOR VETERINARY MEDICINE, LAUREL, MD

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the Food and Drug Administration Center for Veterinary Medicine located on Muirkirk Road in Laurel, Maryland at an estimated design cost of $435,000, an estimated construction cost of $5,057,000, and management and inspection cost of $536,000, for a combined estimated total project cost of $6,028,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—WHITE OAK BUILDING 130, SILVER SPRING, MD

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the White Oak Building located at 130 Dahlgren Road in Silver Spring, Maryland at an estimated design cost of $296,000, an estimated construction cost of $5,265,000, and management and inspection cost of $232,000, for a combined estimated total project cost of $5,793,000, a prospectus for which is attached to, and included in, this resolution.

AMENDED PROSPECTUS—ALTERATION—RICHARD BOLLING FEDERAL BUILDING, KANSAS CITY, MO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the Richard Bolling Federal Building located at 601 East 12th Street, in Kansas City, Missouri at an estimated construction cost of $225,760,000, design and review cost of $15,917,000, and management and inspection cost of $22,233,000 for a combined estimated total project cost of $263,910,000 (estimated total project cost of $199,583,000 was previously authorized), a prospectus for which is attached to, and included in, this resolution.

ALTERATION—VARIOUS BUILDINGS, ALBUQUERQUE, NM

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of three federal buildings, one located at 517 Gold Avenue, Albuquerque, New Mexico; the Chavez Federal Building and Courthouse; and the Albuquerque Courthouse, at an estimated design cost of $543,000, an estimated construction cost of $4,821,000, and management and inspection cost of $419,000, for a combined estimated total project cost of $5,783,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—THURGOOD MARSHALL U.S. COURTHOUSE, NEW YORK, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the Thurgood Marshall United States Courthouse in New York, New York at an estimated design cost of $16,393,000, an estimated construction cost of $201,640,000, and management and inspection cost of $9,849,000, for a combined estimated total project cost of $227,882,000 (design and review costs totaling $13,500,000 were previously authorized) a prospectus for which is attached to, and included in, this resolution.

ALTERATION—FEDERAL BUILDING AND U.S. COURTHOUSE, MILWAUKEE, WI

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the Federal Building and United States Courthouse located at 517 E. Wisconsin Avenue, in Milwaukee, Wisconsin at an estimated design cost of $458,000, an estimated construction cost of $4,796,000, and management and inspection cost of $345,000, for a combined estimated total project cost of $5,599,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION IN LEASED SPACE—SECURITY WEST BUILDING, WOODLAWN, MD

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the alteration of the Security West Building, located at 1500 Woodlawn Drive, Woodlawn, Maryland, at a design and review cost of $1,310,000, an estimated construction cost of $16,382,000, and management and inspection cost of $2,123,000 for a combined estimated total project cost of $19,815,000, a prospectus for which is attached to, and included in, this resolution.

NEW CONSTRUCTION—MATERIAL PRICE INCREASES—VARIOUS PROJECTS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, additional appropriations are authorized for material price increases for the construction of projects located in Las Cruces, New Mexico; Del Rio, Texas; and two projects in El Paso, Texas, at an estimated additional construction cost of $19,155,000, a prospectus for which is attached to, and included in, this resolution.

DESIGN—VARIOUS LOCATIONS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the design of projects scheduled for the Eisenhower Executive Office Building (Phase III), located in Washington, DC at a design cost of $8,447,000; the Nebraska Avenue Complex, located in Washington, DC at a design cost of $1,200,000; the David Dyer Federal Building and Courthouse, located in Miami, Florida at a design cost $4,502,000; the George C. Young Federal Building-Courthouse, located in Orlando, Florida at a design cost of $2,563,000; the Dr. A.H. McCoy Federal Building-Post Office, located in Jackson, Mississippi at a design cost of $1,043,000; the U.S. Post Office and Courthouse, located in Brooklyn, New York at a design cost of $4,723,000; the U.S. Post Office and Courthouse, located in New Bern, North Carolina at a design cost of $1,279,000; and the Joseph P. Kinneary U.S. Courthouse, located in Columbus, Ohio at a design cost of $1,068,000 for a total design cost of $24,825,000, for which a prospectus is attached to, and included in, this resolution.

LEASE—INTERNAL REVENUE SERVICE TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION, DENVER, CO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 D.S.C. 3307, appropriations are authorized to lease up to 170,704 rentable square feet of space and 57 inside parking spaces for the Internal Revenue Service currently located in leased space at Dominion Plaza, 600 17th Street, Denver, Colorado and government-owned space at Building 53, Denver Federal Center, Lakewood Colorado, at a proposed total annual cost of $5,974,640 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. 3307, appropriations are authorized to lease up to 144,000 rentable square feet and 10 parking spaces for the U.S. Equal Employment Opportunity Commission, currently located in leased space at 1801 L Street, NW, Washington, DC, at a proposed total annual cost of $6,768,000 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—DEPARTMENT OF JUSTICE JUDICIARY CENTER, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. § 3307, appropriations are authorized to lease up to approximately 376,219 rentable square feet of space for the Department of Justice currently located in leased space at 555 4th Street, NW, in Washington, DC, at a proposed total annual cost of $17,682,293 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—DEPARTMENT OF AGRICULTURE CONSOLIDATION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. § 3307, appropriations are authorized to lease up to approximately 330,000 rentable square feet of space and 65 parking spaces for the Department of Agriculture currently located in multiple leased locations in the Washington, DC Metropolitan Area, at a proposed total annual cost of $15,510,000 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. § 3307, appropriations are authorized to lease up to approximately 325,000 rentable square feet and 17 parking spaces for the Federal Emergency Management Agency, currently located in leased space at 500 C Street, SW, Washington, DC, at a proposed total annual cost of $15,275,000 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—DEPARTMENT OF INTERIOR MINERALS MANAGEMENT SERVICE, METAIRIE, LA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized for a superseding lease of up to approximately 197,084 rentable square feet and 650 parking spaces for the Department of Interior—Minerals Management Service, currently located at 1201 Elmwood Park, Metairie, Louisiana, at a proposed total annual cost of $4,730,016 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—SOCIAL SECURITY ADMINISTRATION, BALTIMORE, MD

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 538,000 rentable square feet and 1,076 parking spaces for the Social Security Administration, currently located in government-owned space at 300 N. Greene Street, Baltimore, MD, at a proposed total annual cost of $18,830,000 for a lease term of 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION, BOSTON, MA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 268,452 rentable square feet and 228 secured inside and 20 outside parking spaces for the Federal Bureau of Investigation, currently located in multiple leased locations in Massachusetts, at a proposed total annual cost of $12,348,792 for a lease term of 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—DEPARTMENT OF AGRICULTURE WINCHESTER CENTER, KANSAS CITY, MO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 342,865 rentable square feet and 1,628 outside parking spaces for the Department of Agriculture, currently located in leased space in the Winchester Center at 6501 Beacon Drive, Kansas City, Missouri, at a proposed total annual cost of $6,727,011 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION, PORTLAND, OR

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 134,159 rentable square feet of space and 200 inside secured spaces for the Federal Bureau of Investigation, currently located in multiple leased locations in the Portland area, at a proposed total annual cost of $4,695,565 for a lease term of 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—DEPARTMENT OF DEFENSE—JEFFERSON PLAZA 1 AND 2, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 347,947 rentable square feet and 2 inside parking spaces for the Department of Defense, currently located in leased space at Jefferson Plaza 1 and 2, Arlington, Virginia, at a proposed total annual cost of $10,438,410 for a lease term of 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—DEPARTMENT OF DEFENSE, 3100 CLARENDON BLVD., NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 221,084 rentable square feet and 16 inside parking spaces for the Department of Defense, currently located in leased space at 3100 Clarendon Boulevard, Arlington, VA, at a proposed total annual cost of $7,737,940 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—DEPARTMENT OF THE INTERIOR, ARLINGTON SQUARE, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 143,572 rentable square feet for the Department of the Interior—Fish and Wildlife Service, currently located in leased space at Arlington Square, 4401 Fairfax Avenue, Arlington, VA, at a proposed total annual cost of $5,024,985 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—PATENT AND TRADEMARK OFFICE, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 325,000 rentable square feet and 2 parking spaces for the Patent and Trademark Office in Northern Virginia, at a proposed total annual cost of $11,375,000 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—SOCIAL SECURITY ADMINISTRATION, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to 334,103 rentable square feet and 24 parking spaces for the Social Security Administration, currently located in leased space at 5107 and 5111 Leesburg Pike, Falls Church, Virginia, at a proposed total annual cost of $11,693,605 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

S.J. Resolution 28, by the yeas and nays;

H.R. 4709, by the yeas and nays.

Proceedings on H. Con. Res. 357 and H. Con. Res. 349 will resume tomorrow.

Tonight both of these votes will be conducted as 15-minute votes.

APPROVING LOCATION OF COMMEMORATIVE WORK IN DISTRICT OF COLUMBIA HONORING FORMER PRESIDENT DWIGHT D. EISENHOWER

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate joint resolution, S.J. Res. 28.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 28, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 21, as follows:

[Roll No. 100]

YEAS—411

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)
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 (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
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
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
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
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
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
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
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—21

Bishop (UT)
Davis (FL)
Evans
Ford
Fossella
Green (WI)
Grijalva
Gutierrez
Harman
Hastings (FL)
Jenkins
Lantos
Millender-McDonald
Moore (WI)
Oberstar
Osborne
Payne
Peterson (PA)
Platts
Ros-Lehtinen
Ryan (OH)

□ 1857

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PRICE of Georgia). Members are advised that persons may be present in the rooms adjoining the Chamber during this next vote under the authority of House Resolution 480 (relating to the Capitol Visitor Center film).

TELEPHONE RECORDS AND PRIVACY PROTECTION ACT OF 2006

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4709, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4709, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 101]

YEAS—409

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)
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 (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
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
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
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
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
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—23

Bishop (UT)
Davis (FL)
Evans
Feeney
Ford
Fossella
Green (WI)
Grijalva
Gutierrez
Harman
Hastings (FL)
Jenkins
Lantos
Millender-McDonald
Moore (WI)
Oberstar
Osborne
Payne
Peterson (PA)
Platts
Pryce (OH)
Ros-Lehtinen
Ryan (OH)

□ 1914

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PRICE of Georgia) (during the vote). Members are advised 2 minutes remain in this vote.

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GREEN of Wisconsin. Mr. Speaker, I was absent from Washington on Tuesday, April 25, 2006. As a result, I was not recorded for rollcall vote Nos. 100 and 101. Had I been present, I would have voted "yea" on rollcall Nos. 100 and 101.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. I would like the record to show that, had I been present, I would have voted "yea" on rollcall votes 100 and 101.

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

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

The form of the motion is as follows:

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

(1) to agree to the following provisions of the Senate amendment: section 461 (relating to revaluation of LIFO inventories of large integrated oil companies), section 462 (relating to elimination of amortization of geological and geophysical expenditures for major integrated oil companies), and section 470 (relating to modifications of foreign tax credit rules applicable to large integrated oil companies which are dual capacity taxpayers), and

(2) 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.

ROADMAP TO BORDER SECURITY

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

Mr. KELLER. Mr. Speaker, I rise today to give the Senate a roadmap to draft a border security bill that can pass the House of Representatives. The current Senate bill has three flaws that must be corrected.

First, the Senate bill waters down the employer sanctions by making then 10 times weaker than the House bill, from $5,000 fine down to $500.

Second, the Senate bill doesn't spend a single penny for a single border security fence in any urban area along the border.

Third, the Senate bill rewards illegal behavior with permanent citizenship. For example, if a person illegally snuck across the border, committed a felony by using a fake Social Security card, evaded law enforcement for 5 years, waved a Mexican flag and demanded amnesty, they would be rewarded with the chance for permanent citizenship.

The Senate should either fix the flaws in their bill or send over a giant pitcher of margaritas with it, because most sober Congressmen won't be able to vote for it.

JACKSON THEODORE POE

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

Mr. POE. Mr. Speaker, a new son of Texas breathed the air of our free Nation with his birth on April 10, 2006. His birth made him an eighth-generation Texan, and he can trace his Scot, Irish and German roots to the proud days of the Republic of Texas.

Born in The Woodlands, Texas, at 6 pounds, 9 ounces, he bears a middle name that has been a family name for over 100 years and dates back to his ancestry in Germany. He is a gift from the Lord to his parents Kurt and Susie and to his four grandparents and his great-grandparents.

He is, by the chance of birth, an American. As a child he is the most important and the greatest of all American natural resources. Mr. Speaker, every time a child is born, the good Lord is making a bet on the future of our Nation.

As his grandfather, it is my hope that Jackson Theodore Poe lives the strong, rugged, determined life of a free man; that he will live with the words ''liberty'' on his lips, integrity in his heart and compassion in his soul; and that he never forgets duty, honor and loyalty. And that's just the way it is.

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.

NATIONAL TEACHERS HALL OF FAME INDUCTEES

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

Mr. MORAN of Kansas. Mr. Speaker, I rise this evening to recognize this year's inductees into the National Teachers Hall of Fame located in Emporia, Kansas. We have all had special teachers in our lives, and we are indebted to them for their desire and unending efforts to see that students achieve their fullest potential.

Now in its 15th year, the Hall of Fame continues its mission to honor exceptional teachers and to promote excellence in its teaching profession. Congratulations to the 2006 inductees, Peggy Carlisle, Floyd Holt, Harlan Kredit, Pat Graff and Linda Kaye White.

At Pecan Park Elementary in Jackson, Mississippi, Peggy Carlisle has used her talents to make science and math stimulating to her students. A 2005 Mississippi Hall of Masters teacher, she uses her skills to help students realize they are only limited by the size of their dreams. According to the parent of a former student, Mrs. Carlisle makes science interesting. Just

walking into her room lets you know that this is not a regular classroom, but a learning environment specifically arranged to get young minds thinking. By using many hands-on activities, she brings life to books and dusty old facts.

Floyd Holt, a physics teachers at Franklin D. Roosevelt High School in Hyde Park, New York, loves knowledge and conveys this to his students through his dedication to teaching. Floyd strives to make education interesting and create unique learning activities such as Spaceship Classroom of the Future. He has won the 1994 Presidential Award for Excellence in Science and Math in the USA and today also the 2000 USA Today Award.

According to a former student, what sets Harlan Kredit apart is that as well as he teaches biology, he teaches life even better. At Lynden Christian High in Lynden, Washington, Mr. Kredit believes kids need to connect to the world outside of their school for education to be meaningful and productive. He embodies this philosophy through his work as a ranger naturalist at Yellowstone National Park and through teaching environmental education to teachers at the American Wilderness Leadership School.

He is a recipient of the 1994 Washington State Conservation Teacher of the Year Award and the 2004 Presidential Award for Excellence in Teaching Science.

Pat Graff, a journalism, humanities and social studies teacher at La Cueva High in Albuquerque, New Mexico, is a bridge builder between different organizations, the media and business. She has had numerous students return to her school to give credit for her help and expertise and putting them on their current career path. Her additional accomplishments include being named the New Mexico English Teacher of the Year and also winning the 2004 Governors Award for Outstanding New Mexico Woman.

Lynn Kaye White of Haycock Elementary in Falls Church, Virginia, has shared her love of music and education around the world. She has traveled to Japan in 2003 with the Fulbright Memorial Fund and also to New Zealand to participate in the 2002 Fulbright Hays Seminar. She is able to seamlessly take the resources she has gathered from around the world and turn them into meaningful, substantive learning opportunities for her students.

Peggy, Floyd, Harlan, Pat and Linda exemplify what it means to be a teacher, what it means to make a difference. I commend the National Teachers Hall of Fame for their efforts to recognize great teachers. These five inductees collectivity have 134 years of teaching experience. I salute these men and women for their dedication to the students of this country. It is my hope that they will find satisfaction in knowing the positive difference they have made in the lives of their students. It is my honor to recognize these teachers here in the United States House of Representatives.

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

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

CENTERS FOR DISEASE CONTROL REPORT

Mrs. MCCARTHY. Permission to speak out of turn.

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

There was no objection.

Mrs. MCCARTHY. Mr. Speaker, last week the Centers for Disease Control released a report on the economic burden of injuries in the United States. The results were astonishing.

Every year injuries cost our economy $406 billion in health care, lost wages and lost productivity. The report goes as far as to list specifics on many different injuries; however, there is no listing on the costs of gun violence.

The public might ask how could the CDC avoid gun violence when listing the causes of serious injury in this country? The answer is simple: Congress won't let them.

That is right. Congress, in 1996, following the lead of their benefactors in the gun industry, refused to allow the CDC to report on the economic impact of gun violence. Independent studies show the cost to be nearly $100 million a year, but we can never be for sure because our government is prohibited from researching this public health issue.

In fact, the report on the CDC's Web page has a section dedicated to fireworks injuries, but no space dedicated specifically to firearms injuries or deaths. So the CDC can release information on a cause of injury that kills an average of four people per year, but not on the cause of thousands that are killed by gun violence every year.

However, the CDC cannot completely avoid the topic in its report. The report lists the top 10 causes of death among certain age groups, and, of course, homicide is prevalent, and of homicides of Americans more than 44 years of age, more than 10,000 were attributed to gun violence in 2003. In 1 year there were at least 10,000 people murdered with guns, and Congress won't allow the CDC to study how much these murders cost our economy.

Again, this defies common sense. The CDC isn't allowed to reveal how many Americans survive shootings, like my son did, each year, which adds an additional billions in cost to our economy as well. Gun violence is an epidemic in this country, and Congress is trying to stop us from learning the true impact of this public health crisis. This is a case of our government controlling the flow of information to protect the special interest group. What are they afraid of?

Is the congressional leadership afraid that if people know how much gun violence costs our economy, they would call for commonsense gun legislation? If people knew this information, would congressional leadership be forced to pass laws to keep military assault weapons out of the hands of criminals and terrorists? Would they be forced to stop passing legislation that protects the 1 percent of gun dealers who are responsible for selling 50 percent of the guns used in crimes?

Mr. Speaker, the American people have the right to know this information, and let the record show that the release of this information will have no affect on the right of law-abiding citizens to be able to own a gun. But the release of this information might help pass commonsense legislation that will make sure criminals and terrorists cannot legally buy guns, or allow for law enforcement agencies to share information of ballistic evidence.

Mr. Speaker, let's give the CDC the go-ahead to study this issue. The release of this information will make our Nation a safer, better place, and won't place a burden on the right of law-abiding American citizens to exercise their second amendment rights.

This past week it has been 5 years since Columbine. In the last 48 hours, we have seen many schools come under attack. They were prevented because our police got the information. We should allow also the CDC to be able to study why our young people are going to violence to commit and murder, 14, 17, 20 of their friends in school.

Mr. Speaker, gun violence is a health care crisis in this Nation, and until this Congress wakes up, until this country wakes up to be able to do something to reduce gun violence in this country, there are better ways that we could spend the money, certainly helping Medicare, certainly helping the poor get the health care that they need, looking at wellness centers instead of waiting too late until people are sick.

We can do something about this, but the American people need to know the facts and figures. It is only right that we do that.

□ 1930

TRIBUTE TO ONE OF IOWA'S OLDEST CITIZENS

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

Mr. KING of Iowa. Mr. Speaker, I rise today to honor one of Iowa's oldest citizens. At 110 years old, Letitia Lawson is the fourth-oldest Iowan and the oldest resident of Iowa's Fifth Congressional District. On April 10, 1896, Letitia was born on a small farm west of Milford, Iowa, to godly parents who,

she says, ''never knew anything but church on Sunday and school on weekdays.''

Having learned the importance of education early in her life, Letitia became a teacher in a one-room schoolhouse in Excelsior Township. Though she left this post to marry, farm, and raise three children, she never gave up her passion for teaching. Since retiring from the farm in 1970, Letitia has continued to pursue her love of teaching. As late as last year, Letitia spoke to students of the Okoboji Elementary School on two different occasions and offers weekly lessons to the students who deliver meals to her in her home.

A reliable champion of family, togetherness, and love, Letitia represents all that is good about the traditional American values that we in Iowa hold dear. On the occasion of Letitia Lawson's 110th birthday, I offer my congratulations and the best wishes from Congress.

AMERICA MUST RESIST TEMPTATION TO START A WAR WITH IRAN

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

Mr. MCDERMOTT. Mr. Speaker, I know it is an election year, and I know President Bush's ratings are at an all-time low, and I know gas prices are very high and the people are restless. Nevertheless, I call upon my colleagues and the President to resist the temptation to start yet another war.

There is an old saying: ''Fool me once, shame on you. Fool me twice, shame on me.'' Well, friends, if we fall for the case being made to go to war against Iran, it will be ''shame on us.'' And I define bombing from 40,000 feet as war.

Just as we did in the months leading up to the invasion of Iraq, a country which had no connection to 9/11 and no weapons of mass destruction, this administration intentionally confused us with regard to Iraq. It is doing the same with Iran. The administration says they want compliance with nuclear treaties but makes it clear that they really will settle for nothing less than regime change.

When I said before the Iraq war that I believed the President would be willing to mislead us into the war if he believed misleading us was necessary to fulfill his plans, I was excoriated, but I was right. I do not characterize the President's motives. I assume he took us into war in Iraq because he sincerely believed it was the right thing to do. We know now that he was wrong about that. The world is less safe. The Iraqis are in turmoil. More Americans have died in the President's plan in Iraq than died in New York City and at the Pentagon.

What the President did with our Iraq policy is being replicated with our Iran policy. There was much to criticize about Saddam Hussein, and there is much to criticize about the ayatollahs and their front men in Iran. We have every right to demand that Iran adhere to its obligations under the Nuclear Nonproliferation Treaty and to pursue sanctions and other penalties. What we do not have the right to do is to make it impossible for Iran to satisfy our demands without regime change.

When we started demanding regime change in Iraq instead of demanding compliance with U.N. inspectors, we put ourselves on the path to war in Iraq. We are on the same plan and the same path in Iran. We will not talk with the Iranian government, and we will not stop talking about overthrowing it. It is impossible for the Iranian government to satisfy this administration and remain a government, although this administration will immediately deny that.

Every time it appears something is going to work out with the Soviet Union, or whatever, we pull the rug out from the negotiators. Because we don't want negotiation. We don't want to solve the problem. We want regime change. Somehow this administration has got it in its head that it has the right to tell other governments to step aside for people we like better. That is wrong.

We tried it with Mosaddegh and put in the Shah and we are back at it again. What we should do instead is to call their bluff and let them save face at the same time. If they say they want nuclear energy, we should say, okay, if it is nuclear energy you want, you won't mind having wall-to-wall U.N. inspectors watching every move you make to keep people from getting the wrong idea.

We make sure that they can't build bombs and let them have what they are entitled to under the NPT: civilian energy. We must quit making the leaders more popular. And we are doing it by making them the guys who stand up to the U.S. We must quit acting like we are going to invade any country that has the wrong regime.

If we attack Iran, as I fear we are on a course to do, we will unleash a hell unlike anything this region has seen. Iran is not Iraq. It has not been under sanctions for 10 years. It has not been bombed flat by the Gulf War. It is a strong nation with weapons. We will make ourselves once again less safe if we attack them.

Mr. Speaker, this administration has now been told on this floor, in public, on the record. The President will come here in about 6 or 8 or 9 months and give us a State of the Union. If he has taken us into a war in Iran, he will deserve what happens.

This country does not need another war. We have already proven the failure of that in Iraq; and because they won't change their mind, they keep doing the same thing over and over again. And now there is an election coming up. The 2006 election is coming and they want to distract us. That is why they are leading us towards Iran.

IRAN IS A TERRORIST STATE

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

Mr. BURTON of Indiana. Mr. Speaker, Iran, as my colleague leaves the floor, is a terrorist state. They are trying to develop nuclear weapons, and the world and the United States cannot tolerate that. We will rue the day if we allow them to go forward with their nuclear weapons program. We will try diplomatic means, we will try economic sanctions, we will try anything to stop them; but we cannot allow them to build a nuclear capability, because they are a known terrorist state, period.

And I want to say one more thing about my colleague's comments about weapons of mass destruction not being found in Iraq. Many people thought that Iraq sent those weapons out of the country. Well, one of our special ops organizations in the last two or three days found 800 canisters, 800 canisters, of chemical weapons, the type that was used to kill the Kurds, 10,000 women and children, Kurdish children, during the regime of Saddam Hussein, and also the kinds of weapons that were used in the Iran-Iraq war.

So saying there were no weapons of mass destruction, when we have actually found 800 canisters in just the last few days, proves that that is not correct.

TIME FOR THE IRAQI PEOPLE TO ASSERT CONTROL OVER THEIR POLITICAL DESTINY

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

Mr. SCHIFF. Mr. Speaker, the Iraq war is now in its 4th year, and I, like many of my colleagues and millions of my fellow citizens, are troubled about the direction the conflict is taking.

I have been to Iraq three times to visit our troops there, and I have spent time with our wounded here and in Germany. They have done everything we have asked of them, and they have done it magnificently. While we have a moral obligation to do whatever we can to avoid having Iraq spiral into an all-out civil war, now is the time for the Iraqis themselves to decide if they wish to be one country. And, Mr. Speaker, it is time for us to take steps that will ensure that 2006 is a year of significant transition to full sovereignty for the people of Iraq.

This is a conflict that has come to grief in many ways. In the fall of 2002, I voted to authorize the use of force against Iraq because of the threat that Saddam Hussein had stockpiles of chemical and biological weapons, and because I was concerned that he had an

active nuclear weapons program. If you go back and look at the debate in the House and Senate, this was a decision taken by the Congress to prevent Iraq from acquiring or using or transferring nuclear weapons.

Months later, as American forces pushed across the Kuwaiti frontier and into Iraq, we were on a hunt for weapons of mass destruction. Delivering the Iraqi people from the brutality of Saddam Hussein was a noble act, but the promotion of democracy in Iraq was not our primary reason for going to war. Similarly, we knew the Shiite majority had suffered terribly under the Ba'ath regime, and freeing them from the oppression of the Sunni minority was an added benefit of the invasion. But reordering the ethnic balance of political power in Iraq was not our primary purpose for going to war.

Soon after the fall of Baghdad, it became clear that many of the pre-war assumptions that had guided the President and his advisers were wrong. There were no chemical or biological weapons, there was no nuclear program, and while many Iraqis celebrated the ouster of Saddam Hussein, they did not line the streets of Baghdad to greet our troops with flowers. In fact, within days, there emerged the beginnings of what would become an organized and deadly insurgency that would quickly put an end to General Tommy Franks' plan to pare down the 140,000 troops in April 2003 to about 30,000 by September 2003.

In recent months, even as our military has become more adept at combating the insurgency, the nature of the struggle in Iraq has changed yet again. Long-simmering ethnic tensions, which had been suppressed under Saddam's totalitarian regime, have threatened to tear the country apart. While the full-scale civil war that many feared in the wake of the bombing of the Askariya mosque in Samarra has not yet come to pass, most observers believe the country is currently in the grip of a low-level civil war that could erupt into a full-scale conflict at any time.

The ongoing sectarian strife has been exacerbated by the protracted struggle among and inside Iraq's political factions over the formation of a permanent government. Last week's decision by the Shiite parties that make up the largest block in parliament that was elected 4 months ago to replace Prime Minister Ibrahim al-Jaafari with Jawad al-Maliki paves the way for the formation of a broad-based government. The question is now whether this hopeful development will be enough to pull Iraq back from the precipice.

There is a broad census among experts here and abroad that Iraq's future will be determined by politics and not by force. The formation of a permanent Iraqi Government, one that will have the power of legitimacy and vision to assume primary responsibility for securing and governing the country, is a necessary precondition to ending the insurgency, preventing a civil war, and allowing large-scale reconstruction to begin.

Consequently, our role in Iraq must become more political and less military. For if there is one thing that Iraqis of every ethnic, religious, and political stripe can agree on, it is that they do not want foreign troops in their country indefinitely.

I support a responsible redeployment of our troops during the course of 2006 so we are not drawn into sectarian conflict and so Iraqis are forced to take primary responsibility for securing and governing their country. A responsible redeployment of American coalition forces will have to be done in stages to build greater Iraqi sovereignty and control over security, not civil war. We should also publicly declare that the United States does not seek to maintain a permanent military presence in Iraq, and I have cosponsored legislation to prevent the establishment of permanent bases, which can only serve as a catalyst for the insurgency and for foreign jihadis.

Devising and implementing a successful end-game in Iraq will be difficult, but an open-ended commitment to remain in the country is untenable and unwise. The American people want Iraq to succeed and for a representative government there to survive and to lead to a better future for the Iraqi people. But it will ultimately be the Iraqi people who must decide whether they wish to live together in peace as one country or continue to murder each other in large numbers. We cannot decide that for them.

In the fight against the malicious al Qaeda in Iraq, foreign jihadis bent on destroying a government chosen by the Iraqi people, we are in solidarity with the Iraqi people who want a better life for their children. But, Mr. Speaker, we will not stand as a shield between Iraqi sects bent on killing each other. The new prime minister and leadership have the next 30 days to form a strong unity government. We hope they will be successful in that task, and we hope that the Iraqi leaders understand that the patience of the American people is running out.

Mr. Speaker, the Iraq war is now in its fourth year and I, like many of my colleagues and millions of our fellow citizens, am deeply concerned about the direction that the conflict is taking.

I have been to Iraq three times to visit with our troops there and I have spent time with our wounded here and in Germany. They have done everything that we have asked of them and they have done it magnificently.

Tragically, these American heroes are still being killed and wounded daily. Over 2,300 troops have been killed and thousands more have been injured. American taxpayers are paying approximately $194 million a day for the war according to the Congressional Budget Office—that's more than a billion dollars a week. A new CRS report puts the current costs of continued operations in Iraq and Afghanistan at close to $10 billion a month, with most of that money going to Iraq.

While we have a moral obligation to do whatever we can to avoid having Iraq spiral into all-out civil war, now is time for the Iraqis themselves to decide whether they wish to be one country. And, Mr. Speaker, it is time for us to take steps that will ensure that 2006 is a year of significant transition to full sovereignty for the people of Iraq.

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Soon after the fall of Baghdad, it became clear that many of the prewar assumptions that had guided the President and his advisors were wrong. There were no chemical or biological weapons; there was no nuclear program; and, while many Iraqis celebrated the ouster of Saddam Hussein, they did not line the streets of Baghdad to greet our troops with flowers. In fact, within days there emerged the beginnings of what would become an organized, deadly insurgency that would quickly put an end to General Tommy Franks' plan to pare down the 140,000 troops in Iraq in April 2003 to about 30,000 by September 2003.

In recent months even as our military has become more adept at combating the insurgency, the nature of the struggle in Iraq has changed yet again. Long-simmering ethnic tensions, which had been suppressed under Saddam's totalitarian regime, have threatened to tear the country apart. While the full-scale civil war that many feared in the wake of the bombing of the Askariya mosque in Samarra has not yet come to pass, most observers believe that the country is currently in the grip of a low-level civil war that could erupt into full-scale conflict at any time. I am especially concerned by media reports that Shiite militias have been deploying to Kirkuk, Iraq's third largest city, in a bid to forestall any attempt by Kurds to assert control over this major center of Iraq's oil-rich north.

The ongoing sectarian strife has been exacerbated by the protracted struggle among and inside Iraq's political factions over the formation of a permanent government. Last week's decision by the Shiite parties that make up the largest bloc in the parliament that was elected four months ago to replace Prime Minister Ibrahim al-Jaafari with Jawad al-Maliki paves the way for the formation of a broad-based government. The question now is whether this hopeful development will be enough to pull Iraq back from the precipice.

There is a broad consensus among experts—here and abroad—that Iraq's future will

be determined by politics and not force. The formation of a permanent Iraqi government—one that will have the power, legitimacy and vision to assume primary responsibility for securing and governing the country—is a necessary precondition to ending the insurgency, preventing a civil war and allowing large-scale reconstruction to begin.

Consequently, our role in Iraq must become more political and less military; for if there is one thing that Iraqis of every ethnic, religious and political stripe can agree on, it is that they do not want foreign troops in their country indefinitely.

I support a responsible redeployment of our troops during the course of 2006 so that we are not drawn into sectarian conflict and so that Iraqis are forced to take primary responsibility for securing and governing their country. While the process of training Iraqi security forces has gone more slowly than many had hoped, recent reports have indicated that we are making progress and that every week more Iraqi units are capable of taking a greater role in combating the insurgency.

A responsible redeployment of American and coalition forces will have to be done in stages to build greater Iraqi sovereignty and control over security, not civil war. In the first phase of the redeployment, our forces should be gradually withdrawn from insecure urban centers and moved to smaller cities where reconstruction is supported by the local population, and to remote bases where our troops will be able to support Iraqi units if necessary. Over time, these troops will be withdrawn from Iraq altogether and redeployed outside the country, either in the region or back to the United States. We should publicly declare that the United States does not seek to maintain a permanent military presence in Iraq and I have co-sponsored legislation to prevent the establishment of permanent bases, which can only serve as a catalyst for the insurgency and for foreign jihadis.

Devising and implementing a successful endgame in Iraq will be difficult, but an open-ended commitment to remain in the country is untenable and unwise. The American people want Iraq to succeed, and for a representative government there to survive and lead to a better future for the Iraqi people. But it will ultimately be the Iraqi people who must decide whether they wish to live together in peace as one country or continue to murder each other in large numbers. We cannot decide that for them.

In the fight against the malicious Al Qaeda in Iraq, foreign jihadists bent on destroying a government chosen by the Iraqi people, we are in solidarity with the Iraqi people who want a better life for their children. But we will not stand as a shield between different Iraqi sects bent on killing each other. The new Iraqi prime minister and leadership have the next thirty days to form a strong unity government. We hope that they will be successful in this task. But our hopes in Iraq have too often led to disappointment, and the Iraqi leaders must understand that the patience of the American people is running out.

TRIBUTE TO AIR FORCE TECHNICAL SERGEANT WALTER MOSS, JR.

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

Mr. POE. Mr. Speaker, I rise tonight to pay tribute to a native Houstonian, Walter Moss, Jr., who voluntarily served our Nation in Iraq and who died doing so. He was assigned to the 366th Civil Engineer Squadron, Explosive Ordnance Disposal, or the EOD, Flight as a noncommissioned officer in charge of the EOD Resources Element, Mountain Home Air Force Base in Idaho.

On March 29, 2006, Tech Sergeant Moss became the 200th Texas member of the Armed Forces killed in Iraq. Mr. Speaker, Texans are only 7 percent of the United States population, but make up 10 percent of the volunteers in Iraq and Afghanistan. Further, almost 9 percent of the military deaths in Iraq are Texans.

Additionally, Moss was the first airman from Sather Air Force Base in Iraq to be killed in action during Operation Iraqi Freedom. He was 37 years old. In his long military career, he specialized in the dangerous job of detection and removal of explosive devices.

□ 1945

He was killed while trying to defuse a makeshift bomb while conducting operations near Baghdad. The terrorists in Iraq use the improvised explosive devices, or IEDs, as a cowardly way of murdering Iraqi women, children, civilians and Americans. The terrorist use of IEDs is one of the most dangerous threats to our troops in uniform in Iraq.

Technical Sergeant Moss was the first line of defense between IEDs and his fellow military comrades. Since being deployed to Iraq in January, Sergeant Moss had responded to more than 200 calls. Those 200 calls meant that Moss had perhaps saved the life of an American or Iraqi civilian.

Born in Houston, Texas, Moss attended Aldine High School. He joined the Air Force upon graduation from Aldine and soon married his high school sweetheart Georgina.

From the beginning of his military career, Moss stood out as a leader. His motivation earned him a coveted spot assisting the United States Secret Service. During his 16-year military career, he guarded the likes of former President George H. Bush and the First Lady.

While stationed in Guam, he disposed of 12,500 pounds of hazardous World War II munitions and supported the Secret Service again in protecting Hillary Clinton. In 1997, he and his family were stationed at the 31st CE Squadron, Aviano Air Force Base, Italy. He was handpicked from his unit to provide EOD support during the Middle East peace talks where he ensured then-Secretary of State Madeleine Albright's safety.

Moss had two children, Andrew, 13, and Veronica, 9. A military traveling family, they had already lived with their father in Guam, Italy and Turkey.

Technical Sergeant Moss was deployed in support of Operations Southern Watch, Allied Force, Desert Strike, Northern Watch and Iraqi Freedom. He was awarded the Meritorious Service Medal, the Air Force Commendation Medal with three oak leaf clusters, and the Air Force Achievement Medal with one oak leaf cluster.

Even though he was in the Air Force, the Navy and Marines honored him with the Navy and Marine Corps Achievement Medal, and he will be awarded the Bronze Star with Valor and the Purple Heart.

I attended Technical Sergeant Moss' funeral in Spring, Texas, and I talked to his father Walter Moss, Sr. Walter told me he was proud of his son, proud of the life he chose, and proud of the country he served. At the funeral there were a great number of Air Force personnel, strangers, citizens, family, and even a motorcycle group carrying large American flags.

I would like to extend my prayers and condolences to his father Walter, his mother Rebecca York, his brother Brian, his relatives and friends in Idaho and Texas, his wife Georgina, and his children Andrew and Veronica. He died as he lived: Protecting Americans.

Our hearts are filled with gratitude for the brave airmen such as Technical Sergeant Walter Moss. He sought out danger so others would not face danger. He was a father, a husband and a brother. His unyielding courage was an inspiration to his fellow airmen and his family. He was an American patriot, and he was a cut above the rest of us.

And that's just the way it is.

URGING ACTION ON THE ENERGY CRISIS

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

Mr. EMANUEL. Mr. Speaker, everyone is talking about gas prices. This morning President Bush presented the Nation with, he said, a ''plan to lower gas prices.''

A little over a year ago on June 6, 2005, energy was $2.09. I use that date because that was the date that the President of the United States signed his energy bill that he hailed would be a great improvement for energy and energy prices here in America. $2.09. Today in Chicago it stands on average a little over $3 in the Chicago area. Over a little less than a year ago when the President signed his energy bill, the one that this Congress delivered to him, energy was $2.09 a gallon. Today in Chicago gas is $3.32 a gallon.

In the year in which we debated the energy bill, the oil and gas interests spent $86 million lobbying this Congress and got $14.5 billion in taxpayer subsidies. They spent $86 million lobbying the House of the American people, and they got a $14.5 billion gift.

You cannot get that type of return on Wall Street. That was about a 10 percent return. You cannot get a return like that on any other investment where you give $86 million to influence the people's House and get $14.5 billion of hard-earned taxpayer money, and energy is trading at $75 a barrel.

I understand if you want to help the oil and gas companies at $17 a barrel, $25 a barrel to help them drill for energy. At $75 a barrel, I would expect Exxon and Mobil and Chevron and Phillips, all who are making not just good money, historic record prices, would actually be able to go on their own and drill without the taxpayers having to pay for it.

So not only are we paying a record amount of $3.50 a gallon, not only are they making record profits, but at $75 a barrel, the taxpayers are paying them $14.5 billion. So the American consumer pays more at the pump, and they pay more on April 15 because of what this Congress did. Over the last year, in less than 1 year, energy went from $2.09 to $3.30, but that is only one example.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. EMANUEL. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I just want to say that we are drilling for oil in Texas, California, Oklahoma, and Nebraska. How did the gentleman vote when we wanted to drill in the ANWR, which is 3.5 times the size of Texas? We could have gotten almost 2 million barrels of oil a day, and it would have helped these prices.

Mr. EMANUEL. Mr. Speaker, reclaiming my time, I voted against that; and I vote against giving them $14.5 billion because I do not believe there is a worse example of corporate welfare, only to be followed by the prescription drug bill and the corporate tax bill that was a $5 billion problem. You all handed out $145 billion to corporate interests. Only in Washington do you try to resolve a $5 billion problem that cost you $145 billion, and it still did not resolve the original $5 billion problem.

I bring this all up for one simple point: For the last 5 years, this is supposed to be the people's House, and when that gavel comes down, it is supposed to open the people's House, not the auction house. And from the prescription drug legislation to the energy legislation to the corporate tax bill, you have sold off America's interests. Billions of dollars have been spent lobbying the people's House, and it shows when you go from product to product, from line to line. That is what has happened here.

Now all of a sudden everybody is worried about how we are going to deal with the energy problem. When you had an energy bill, you hailed it as a great victory for the American people. Since that time energy has gone up more than a buck a gallon at the pump.

But that is also an example of what has happened with the corporate tax bill and the pharmaceutical bill. People have used their influence. I do not bemoan what the energy companies have done. I do not bemoan what the pharmaceutical companies have done. I do not bemoan what the HMO industry has done. I do not bemoan what corporate interests have done to influence this Congress. What I bemoan is what the Congress has done for that money and what they have done to the American people's interests. And what is happening here, because now this week I think it is ironic we are all talking about energy, this Congress is going to bring up a lobbying bill. That piece of legislation has become the incredible shrinking legislation. It does nothing. The Washington Post called it ''a watered down sham. Simply a joke.''

USA Today writes, ''Congress still doesn't get it. After more than a year of negative headlines about political corruption and money-soaked alliances with lobbyists, House leaders are weakening their already anemic excuse for reform.''

It doesn't deal with an independent Office of Public Integrity. It does not ban gifts from lobbyists. It does not close the revolving door for Members who leave here. It does not deal with disclosure of lobbyists' solicitation of campaign checks.

The lobbying legislation we are dealing with is exactly the energy legislation we dealt with. The two are the same pieces of legislation. Those who have given and they are giving their checks because all that is left on K Street is checks. There are no checks and balances left in this system.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5020, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109–438) on the resolution (H. Res. 774) providing for consideration of the bill (H.R. 5020) 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, which was referred to the House Calendar and ordered to be printed.

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

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

THE SITUATION IN IRAQ

Mr. LEACH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

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

There was no objection.

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

Mr. LEACH. Mr. Speaker, with mounting sectarian tensions and unabated insurgent violence, I rise today to discuss the deeply troubling situation in Iraq and its implications for the national interests of the United States.

Sometimes it is harder to know how to end a war than to start one. Just as it is important to think through the ''why'' of committing troops to a conflict, we must also think through the ''why'' of ending an engagement. Timing is a key element of both considerations.

Perspective is always difficult to bring to bear on events of the day. Developments of this week, however, could provide Washington with a seminal opportunity to stimulate a rethinking about the philosophical basis for a war that we initiated, with the goal of assessing how a great power can and should disengage.

Many people have noted analogies between America's involvement in Vietnam and the U.S. intervention in Iraq. My sense is that a number of these analogies are quite frail. But the one I am most concerned about relates to America's extraordinary difficulty in disengaging from Vietnam.

A key problem for Washington in trying to wind down its commitment in Vietnam was how to develop a mutual accommodation with the other side that would lessen the prideful pitfalls that often occur when political figures are forced to reassess policies. In the end it was the Paris Peace Accord which facilitated the withdrawal of American troops.

A negotiating avenue in a third-country capital does not appear to lend itself to a resolution of the Iraqi situation at this time. Nonetheless, I find it remarkable that in an autobiographical tome Henry Kissinger wrote that in December 1968, shortly after Richard Nixon had asked him to be his National Security Council Director, he met with the President-elect to discuss the direction of the new administration's foreign policy. They determined together, he noted, that their policy would be to get out of Vietnam.

After reading this passage I asked him years later at a Library of Congress symposium why they did not just proceed to do that. Kissinger looked at me for a moment and then uttered words I will never forget. ''Young man,'' he said, ''we meant with honor.''

I then asked him if honor required escalation. ''Absolutely,'' he responded.

In the Iraq circumstance, the executive branch has provided three broad rationales for American intervention. First, it hinted that there was an Iraqi connection to the attacks on 9/11. Then

it suggested that America and the world faced an imminent threat from Iraqi weapons of mass destruction. When these two justifications for the U.S.-led invasion turned out to be without foundation, the administration fell back on the goal of spreading democracy in Iraq and the broader Middle East as the basis for ongoing U.S. engagement.

From an American perspective, the case for extending the reach of democracy abroad always has a ring of validity, although many have concluded that imposing democracy from the outside is not a proven or necessarily compelling art form. Intriguingly, however, it would appear that today in Iraq democracy building provides a credible rationale for American disengagement even though it was a secondary and possibly flawed basis for original intervention.

In the aftermath of elections held 3 months ago, the Iraqis have finally formed a government which will have under its jurisdiction, although perhaps not complete control, a newly formed Army and a fledgling police apparatus. Based on three elements, credible national elections, a new government and a new infrastructure of security, the U.S. is positioned to begin and, almost as consequently, to announce a steady process of disengagement.

In the middle of the Vietnam War, Senator Aiken proposed that we simply declare victory and get out. This may have been good politics then, but there is no basis for suggesting victory was at hand. Ironically, the formation of a new government today may provide the most promising claim of some success in Iraq. Not to take advantage of the circumstance could be a lost opportunity. This may indeed be the last timely movement for decisive decision-making.

Lyndon Johnson knew his Vietnam policy was failing, but he chose to pass it on to a successor who proceeded to escalate an already escalated conflict. To the degree there is relevance to Presidential precedent, it would seem far wiser for this administration to set the conditions and proceed with withdrawal rather than leave such a decision to a future President.

The reason a democracy-based framework for disengagement needs to be articulated is that it allows the United States to set forth a basis for ending the occupation that is on our terms and on our timetable. If we don't develop and announce a plan and a rationale for disengagement, we could at some point find ourselves withdrawing with the other side claiming it forced us out through destructive anarchy, i.e., insurgent attacks and suicide bombings, or through the insistence of the elected government in Baghdad.

Democracy implies consent of the governed and when a large percentage of the Iraqi people want us to leave, as opinion polls indicate is the case today, the U.S. should be hard-pressed to follow the original neo-con strategy of establishing and maintaining a semi-permanent military base in the country.

Here a note about the Crusades is relevant. While Americans use the word loosely and conjure up quaint cartoon images King Arthur and his knights, citizens of the Muslim world consider the Crusades living history, and it is no accident that Osama bin Laden refers to us as crusaders. For al Qaeda, the pushing out of U.S. forces would be an extension of the Crusades, an act of multi-century consequences. That is why it is so important to apply reason and public reasoning to the disengagement process.

This war has precipitated a great loss of confidence in and respect for the United States around the world. Quite possibly Iraq will be a better country because of America's intervention. But if we hang around too long, the Iraqi government and our government may suffer consequences even more negative than has so far been evidenced. Indeed, with each passing day of occupation, it appears our presence is increasingly inspiring more instability than stability.

It is true that precipitous withdrawal might be counterproductive and that precise timetables have disadvantages. But it is difficult for me to believe anything other than the declaration of a credible plan and reason for disengagement, coupled with a steady drawdown policy, is the wisest course of action today.

In a novel development, Congress has required the establishment of an "Iraq Study Group," under the aegis of the U.S. Institute for Peace, to be chaired by former Secretary of State James Baker and former Representative Lee Hamilton. At the risk of presumption, I would hope the perspective outlined above will be one of the approaches it and the Administration review. There are risks in too abrupt a departure; but a prolonged occupation leads too easily to the kind of retributive civilization clash that misserves America as well as peoples of the region.

20TH ANNIVERSARY OF CHERNOBYL DISASTER

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, tomorrow, April 26, the world will commemorate the 20th anniversary of the world's worst nuclear disaster at the Chernobyl nuclear power plant in the Ukraine when it was under Soviet control.

The explosion released into the air radiation equivalent to 90 Hiroshima-size bombs in the heavily populated areas of northern Ukraine, southern Belarus and southwestern Russia.

□ 2000

Millions of people throughout the world were affected by this disaster, and millions more continue to live with its consequences on a daily basis. Some have written about the North European countries being affected by what has been termed "white winds," the white winds that came from Chernobyl. Radioactive contamination continues to harm the health of men, women and children throughout our world. It is critical that we do not allow ourselves to forget the looming consequences of Chernobyl, which are with us still today, lest the tragedy repeat itself. We must remind our fellow Americans and the world that those problems continue to exist, and the countries that were affected by Chernobyl require assistance in resolving them. In order to achieve this goal, the Congressional Ukrainian Caucus, in cooperation with the Chernobyl Challenge '06 Coalition, is organizing a series of events at the end of this month to commemorate this solemn anniversary. I am very pleased to cooperate with our co-chairs of the Congressional Ukrainian Caucus, CURT WELDON of Pennsylvania, Congressman SANDER LEVIN of Michigan, Congressman ROSCOE BARTLETT of Maryland, along with myself. Tomorrow, April 26, at 10 a.m. here in the Rayburn House Office Building foyer will be a 1-day photo exhibit entitled "Chernobyl 20." The exhibit will include photographs by some prominent artists illuminating the human stories behind the Chernobyl catastrophe and highlighting the dignity and hope of its survivors. We welcome the public to come tomorrow and view this photo exhibit in the Rayburn House Office Building foyer. It begins at 10 a.m. and will remain there the entire day.

On April 27, the following day, Thursday, from 2 in the afternoon until 6, in HC–6 here in the Capitol, a congressional briefing will feature expert testimony on Chernobyl issues including radiation and health, agriculture and food, environment, economics and U.S. assistance and the containment of the fourth unit reactor. The ambassadors of Ukraine, Belarus, and Russia will provide brief remarks to inform about the current situation with respect to Chernobyl and their countries. If citizens are interested, they can contact our office at our Web site, rep.kaptur@mail.house.gov for information.

On Thursday, April 27 as well, from 6:00 to 8:00 p.m. in the evening, in B369 Rayburn House Office Building, the Chernobyl Challenge '06 Coalition, in cooperation with our Congressional Ukrainian Caucus, will hold a congressional reception and Members of Congress will have an opportunity to speak. Again, if citizens are interested they can contact our Web site at rep.kaptur@ mail.house.gov.

The Congressional Ukrainian Caucus is very grateful that for the briefing that will be held on Thursday, from 2 to 6 in Room HC–6, the Capitol Building, that some of the following speakers will appear, from the Chernobyl Children's Project International and the Children of Chernobyl Relief and

Development Fund, their executive directors, several pre-eminent scientists from major organizations, public and private sector universities, talking about the illnesses that plague people today as a result of this huge catastrophe. And then, finally, those who have served as ambassadors to our country and ambassadors from the affected nations will address what we can do in the way of additional international response to meet today's challenges still arising from the Chernobyl catastrophe.

I have never seen birth defects as I have witnessed among the children affected by this continuing tragedy in Chernobyl. The thyroid cancers, the conditions to the heart, the distortions of the human form related to radiation resulting from Chernobyl are horrendous.

The southern part of Belarus is largely depopulated, though some people who are refugees from Afghanistan are moving into the area, incredibly, and eating and planting seeds in the ground and eating contaminated food and infecting themselves even until this day. There is so much for the American people to understand. Though it was 20 years ago, Chernobyl lives as it will for thousands of years to come.

USING HISTORY AS A GUIDE

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

Mr. BURTON of Indiana. Mr. Speaker, one of the things that bothers me is how some of my colleagues on both sides of the aisle come down here and paint a picture using history as a guide that is totally inconsistent with what I, as a Member of Congress for 24 years, have seen and believe.

The President of the United States and the Congress's number one responsibility is to protect this country from enemies, both domestic and foreign. After the attack on 9/11, the President of the United States went after the bad guys, the terrorists. And Saddam Hussein, we were told, was building weapons of mass destruction. In the early 1980s the Israelis attacked a nuclear production site in Iraq because he was trying to build a nuclear weapon. In the Iran/Iraq war he used chemical weapons to kill Iranians during that war. He killed thousands and thousands of innocent women and children, Kurds, using chemical weapons. And in just the last couple of days, some of our expert military personnel in Iraq have found 800 canisters, 800 canisters of chemical weapons, the type that were used to kill Kurds and kill people in the Iran/Iraq war. That is a weapon of mass destruction. We just found it. And so people that say that there are no weapons of mass destruction, or were none, we are starting to find those. And we believe that many of those weapons were carted out of the country before we invaded.

And when I hear my colleagues say there was no connection between al Qaeda and Saddam Hussein, and we had no reason to go in there, the fact of the matter is we know that Uday, Saddam Hussein's son, had leaders of the al Qaeda movement in Baghdad in the hospital and at other get-togethers many, many times. There was a loose-knit association between the Taliban, al Qaeda, Saddam Hussein and others who want to do the Free World ill. That is a fact. And how we see people trying to distort history to say, oh, my gosh, America's made a terrible mistake by going into Iraq really bothers me. The President is doing his dead level best to defeat the terrorists and protect this Nation and the world. There have been attacks in Spain, in France, in England, the United States and other places, in Bali, the terrorists in Egypt just recently. And we cannot back down to the terrorists. We cannot appease them. The President is doing the right things.

Now, regarding Iraq, we are turning the war over to the Iraqis. Eleven million people went to the polls and voted for freedom, democracy and a government; and that government will be formed. It is being formed as we speak.

But we are reducing our troop forces. I understand we have gone from 161,000 just recently to a troop reduction of 30,000 down to 131,000. So we are reducing our forces, and we are turning it over to the Iraqis as they are able to take care of the problems themselves.

The terrorists are going to continue to try to tear up jack over there. They are going to try to drive everybody out and destroy democracy. But it is in our interest and the Free World's to stay the course. And if we don't, we will rue the day that we didn't.

And I want to end up one more time by saying to my colleagues who were talking about Iran early today, the gentleman from Washington, Iran is a terrorist state. We cannot allow them to develop a nuclear capability. And if we do that, we will be dead sorry we did.

IRAQ DEMOCRACY PROMOTION

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, the notion that the Iraq war is all about building freedom and democracy across the broader Middle East has been a staple of White House talking points for nearly as long as we have had our troops in harm's way.

But a few weeks ago, courtesy of a front-page story in The Washington Post, we learned something interesting about the President's actual nuts and bolts commitment to democracy. He doesn't have one. That April 5 story by Peter Baker reveals that when it comes to promoting democracy, the bottom line reality doesn't match all the fancy rhetoric.

The administration, in fact, is dramatically reducing funding for programs and organizations that do the nitty-gritty work of helping nations train their people to build and sustain a democratic infrastructure, political parties, unions, a free press and other institutions.

The National Democratic Institute of International Affairs and the International Republican Institute will, according to The Post, be running out of USAID grant dollars in a matter of days. Only a special earmark is keeping them open for business.

The U.S. Institute of Peace has seen funding for its democracy programs in Iraq slashed by nearly two-thirds. The National Endowment for Democracy recently received its last $3 million to spend in Iraq. As one vice-president at the U.S. Institute of Peace pointed out to The Post, the combined cost of all the programs dedicated to encouraging Iraqi democracy amounts to less than what we spend on the military occupation in Iraq in a single day.

Of course, in addition to being expensive in treasure, this military campaign has carried a devastating human cost, namely, 2,390 American men and women killed, all in the name of democracy that is in danger of never taking hold. It is not surprising, I guess, that this administration would short-change democracy promotion. After all, these are the folks who thought there was no hard work involved in creating a free society. They thought all you had to do was drop a few bombs, kick out a brutal dictator, and democracy would miraculously and spontaneously spring from the oil wells or something. That is one of the reasons their post-war planning was so tragically inadequate.

But this war was never really about building democracy in any real sense. If that had been the justification presented to the American people in 2002, this body and our colleagues on the other side of the Capitol would never have authorized the President to use military force.

No, it was only after the whole weapons of mass destruction thing turned out to be a fraud that the administration started casting about for another rationale. And they came up with this fanciful notion that the war would give rise to democracy, not just in Iraq, but among its neighbors and across the region.

Mr. Speaker, we can encourage democratic elements in Iraq without a military campaign that is killing Americans, killing Iraqis, and fomenting a civil war. It is time to bring our troops home and start investing in true democracy building efforts.

I have offered a new approach to national security called SMART. This stands for Sensible Multilateral American Response to Terrorism. And its core is the notion of investing in nations' democratic potential without resorting to military force.

There are many elements to SMART. It calls for fighting terrorism and stopping the spread of weapons of mass destruction through stronger multilateral relationships and improved intelligence. It demands that the United States live up to its nuclear nonproliferation commitments. It would redirect money we are spending on obsolete Cold War weapons toward homeland security and energy independence. But perhaps most important of all, it is a humanitarian program designed to improve living conditions in troubled regions of the world, to address the oppression and the deprivation that often give rise to terrorism in the very first place. That means supporting programs that promote sustainable development; human rights education; peaceful conflict resolution, educational opportunities, particularly for women and girls; and democracy building.

It is time for the United States to actually put its money where its mouth is on promoting democracy.

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

(Mrs. BLACKBURN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

MEDICARE PART D

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from Tennessee.

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, as we stand here on this Chamber floor, thousands of seniors in my district and millions across our country are suffering through piles of Medicare drug plan offers; and in far too many cases, these seniors are faced with a difficult dilemma. They are suffering under the weight of too much information, with too little time in which to make a choice on what drug plan they will use under the Medicare prescription drug program.

□ 2015

Their decision is by no means simple. The drug plans our seniors choose will define their health care options for years to come. If they do not make a decision and wait until the May 15 deadline passes, they will face penalties and higher prices for the drugs that they need.

This week the Bucks County Courier Times, a daily paper in my district in Pennsylvania, mentioned the drug program dilemma faced by one senior. Mary Ann Morgan was fighting through the details and complications of the new program. She said, ''It's the same as if you're going to buy a stock. The fine print is hard to figure out.''

Traditionally, Medicare's assurance has been that for the elderly and persons with disabilities that they will not be alone when confronted with the full burden of their health care costs. However, the Medicare prescription drug benefit has changed, and if the nearly 3,000 seniors I have met through 12 town halls can represent a sample of opinion, many seniors do not yet understand the prescription drug program and do not plan to sign up for coverage.

Despite the administration's long public information campaign, for many months polls have consistently indicated only 37 percent of those eligible for Medicare say they only partially understand the program. Sixty-one percent state they simply do not understand the program. Approximately one in four seniors, 24 percent, say they plan to join the program, while 54 percent say they do not plan to join, and 22 percent have no opinion.

The U.S. Department of Health and Human Services projected that 39.1 million Medicare beneficiaries would have creditable prescription drug coverage for 2006. Of this total, HHS projected that 29.3 million beneficiaries would be enrolled in part D plans, and nearly 10 million beneficiaries would have creditable drug coverage under qualified plans such as employer- or union-sponsored plans.

Mr. Speaker, the most recent enrollment figures released just last month indicate that only 19.7 million beneficiaries are enrolled in a Medicare part D prescription drug plan, a number that falls short of the hoped for estimate of 29.3 million. This rate of enrollment cannot be viewed as a success. Members of Congress must act to modify the original plan.

Mr. Speaker, I contend that there is a simple solution to this problem. Our seniors need more time, and Congress should provide it to them. Congress changed Medicare to give our seniors more choice in what has historically been a highly structured government program. Congress cannot in good conscience allow thousands of seniors to suffer penalties simply because they could not make an informed decision for their health care coverage and do so in time.

It is for these reasons that I introduced H.R. 4399, legislation that will extend the initial year's enrollment period an additional 6 months, until November 14, 2006. My legislation would also extend the enrollment period for an additional 4½ months for all subsequent years. And, finally, under my legislation penalties would be suspended for 2 years when seniors enroll late in the program.

I call on my colleagues to join as a cosponsor of H.R. 4399 to give Mary Ann Morgan and thousands of seniors like her more time to make the best use of the choice that they have been given.

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

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

ROGER TOUSSAINT AND PUBLIC EMPLOYEE PENSION BENEFITS

Mr. OWENS. Mr. Speaker, I ask unanimous consent to claim the Special Order time of the gentleman from Ohio (Mr. BROWN).

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

There was no objection.

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

Mr. OWENS. Mr. Speaker, Roger Toussaint, the president of Local 100 of the Transport Workers Union, is in jail in New York City tonight. Toussaint's crime is that he took a stand against New York Governor Pataki's sneak attack on public employee pension benefits. When the Governor's puppet appointees on the New York Metropolitan Transport Authority Board had already reached agreement on all other items during labor contract negotiations, the Governor ordered that a cut in pension benefits be added as a new demand. Although it was a cut proposed for the future employees, Roger Toussaint said, ''No. I will not be a party to an agreement that sells out the unborn.''

Roger Toussaint would not allow the Governor to set a precedent for all future State, city, county, and later on it would spill over to Federal employees, and they would have shoved in their face at the bargaining table this precedent of having cut public employee pension benefits. A domino effect would roll right across the entire Nation, and no public employee pension benefits would be safe. ''Strike'' was the rallying cry at that moment, and that rallying cry deserves the support of all working families across the Nation.

The private sector, the corporate butchers, have been carving up private employee pension benefit funds for some years now. Indeed, those of us who serve on the Education and Workforce Committee know that there is an impending pension bankruptcy crisis which may produce shock waves similar to the savings and loan scandal. Private pension benefits for workers we know are endangered, but we have all assumed repeatedly that pensions for public employees are safe, they are secure.

Roger Toussaint's confrontation with the Metropolitan Transit Authority dramatically exposes the fact that public employee pension benefits are also

in danger. Governors, mayors, and legislative bodies can carve up pension benefits even faster than the private sector if working families and their representatives do not remain vigilant and stand up against these attempts.

Ten days in jail they have ordered for Roger Toussaint. Two and a half million dollars they have fined the TW Local 100 organization. Dues check-off privileges have been taken away. The Governor and his MTA puppet board are trying to destroy the union that stood up and exposed the plot to swindle the workers out of their pension benefits. They want to destroy Roger Toussaint, the labor rebel. They want to smother the union rebellion.

Roger Toussaint should not remain an unsung hero. Now is the time for all working families to come to the aid of an heroic labor leader. Listen to the final words of Roger Toussaint at the door of the jail: ''I stand here today because a judge has found me guilty of contempt of court. The truth of the matter is I have nothing but contempt for a system that gives employers free rein to abuse workers.''

Now is the time for all labor organizations across the country to come to the aid of TW and Roger Toussaint in New York.

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

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

THE PEOPLE OF BELARUS

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent to claim the Special Order time of the gentleman from North Carolina (Mr. MCHENRY).

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

There was no objection.

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

Mr. SHIMKUS. Mr. Speaker, I was fortunate to be part of a foreign observer team to observe the failed Presidential elections in Belarus on March 19. Why was it a failure? One, because about 400 political activists were arrested prior to the election. There was prevoting that no one could account for and credit as being valid. I attended with a colleague of mine from Portugal, a member of Parliament, Suarez, and at the end of the evening after visiting 19 precincts, we were not allowed to see the ballots, nor were we allowed to observe the counting of the ballots. There was also no ability for the opposition candidates to campaign and get time on the state-sponsored TV station.

Why is this important, and why do I bring this up today? Well, after the election there was a rally in Oktyabrskaya Square, and this is a photo from one, a protester with a banned flag. There were over 10,000 folks that rallied at this square, many of them staying in the evening through the next day over a period of weeks until the regime finally got fed up, which resulted in a crackdown of the protesters and imprisonment of, and I think there were about 685 on this list, 700 political activists who were jailed for protesting a failed election and rallying for the cause of freedom and democracy and the rule of law. In the square slogans that stated ''Long Live Belarus''; ''Freedom''; the announcement of one of the Presidential candidate's names, Milinkevich, those were the cries of people who want freedom, democracy, and the rule of law.

This was the regime's response. One of those jailed who is still in jail is opposition leader Alexander Kozulin. Kozulin was also a Presidential candidate. He remains in jail today and imprisoned unlawfully and will undoubtedly remain for the immediate future. On March 30 Dr. Kozulin was formally charged with two counts of hooliganism under part 2, article 339 of the Criminal Code. Now, hooliganism is taking part in a democratic rally and publicly speaking his concerns on freedom and democracy and the rule of law. Actions which disturbed the public peace, so the regime says, and active participation in them under article 342 is against the regime's laws. These crimes carry a maximum sentence of 6 years. Dr. Kozulin has yet to be assigned a trial date and will remain in prison until the regime succumbs to international pressure and assigns him a trial date to prove his innocence.

Tomorrow, April 26, as was stated by another of my colleagues tonight, is the anniversary of the Chernobyl disaster. Now, Chernobyl is in the Ukraine, but much of the fallout area is in the country of Belarus, and the prodemocratic organizations and movements and the political activists will be rallying again for freedom, democracy, and the rule of law.

The President/dictator of Belarus is an individual named Lukashenko, and since the election is now over and many of the international media has left the country, he may feel that it is within his power to continue to be ruthless and destroy and suppress the freedom movement in Belarus. My time tonight is to just talk to him, the folks in the country of Belarus and the people who yearn for freedom and democracy that the world will be watching the events of tomorrow's rally.

I hope that my colleagues here on the floor will stand with me in support of freedom of Belarus during this time and will work with the Belarusian people to bring free and fair elections to their country. Countries that are democratic historically have peaceful relationships with their neighbors who are also democratic. It is incumbent upon this House that is the bastion of freedom, democracy, and the rule of law to be of aid to those people who yearn to be free. That is what this Special Order is about tonight.

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

(Mr. STUPAK 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 Minnesota (Mr. KENNEDY) is recognized for 5 minutes.

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

LARRY NELSON

Mr. GINGREY. Mr. Speaker, I ask unanimous consent to claim the Special Order time of the gentleman from Minnesota (Mr. KENNEDY).

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

There was no objection.

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

Mr. GINGREY. Mr. Speaker, I rise today to congratulate a friend and a fellow Georgian Larry Nelson, who, after years of hard work and success, has been elected to the World Golf Hall of Fame this year.

Mr. Speaker, I want to call my colleagues' attention to this picture of Larry at my left. Look at that picture-perfect swing. I can only dream about that.

Larry Nelson, indeed, is an inspired golfer and an inspirational athlete. Throughout his successful 36-year career, Larry has risen to the top of his game, and he has remained there while racking up victory after victory. In the last 32 years on the PGA and the Champions tours, Larry has won 10 events, including 3 majors. His career is highlighted by his PGA championships in 1981, 1987, and his 1983 win at the United States Open. He is also a three-time member of the U.S. Ryder Cup team.

Larry's place among golf's greatest is well deserved. During the earlier part of his career in the 1980s, there were only three other golfers besides Larry who managed to win three major tournaments: Jack Nicklaus, Tom Watson, and Seve Ballesteros.

□ 2030

Larry Nelson undoubtedly belongs with these legends of golf.

We often hear of self-made men, and Larry is certainly one of them. Mr. Speaker, as a sergeant in the United States Army during the Vietnam conflict, golf was not even a blip on his

radar screen. In fact, he said he thought it was a game for sissies. Indeed. But upon his return to the States from Vietnam, Larry found himself drawn to golf. One day he noticed a golf center across the street from the Lockheed Martin plant in my hometown where he worked. Thus, the Sam Snead Golf Center in Marietta, Georgia, became the first training ground for his new passion.

For Larry, golf came naturally. He broke 100 on his first round. That is a little discouraging to me, Mr. Speaker. In this recent time in the district, I found one day to go out on the golf course, and I don't think I broke 150. But Larry broke 100 on that very first round, and enjoyed it. He said this many times, he enjoyed dedicating himself to the techniques and strategy of the game. Indeed, the qualities that it takes for victory and success, that determination and the hard work, that has to be put in every day. As Larry told the Atlanta Journal-Constitution, ''I fell in love with it, and I got better every day.''

His humbleness aside, Larry was dedicated to his game, and he worked hard to achieve those goals. He graduated from qualifying school in 1973; and by 1979, just 6 years later, he had already won his first PGA tour victory, capturing the Jackie Gleason Inverrary Classic.

Larry Nelson's career saw some amazing highlights. In 2000, he finished number one on the tour. I repeat, Mr. Speaker, he finished number one on the tour, and he was named the Champions Tour Player of the Year. Larry won a total of 19 tournaments; and, listen to this, he finished second 24 times. Just think about how difficult that is, to finish second in a major tournament.

He was never one to brag about his accomplishments, but anyone who looks at Larry Nelson's career knows that it has been outstanding.

Mr. Speaker, when Larry is inducted into the World Golf Hall of Fame in St. Augustine this October, he will assume his place among golf's greatest. This is the 11th year Larry has been on the Hall of Fame ballot, and I know many golf lovers join me in saying it is about time. I am so pleased Larry's accomplishments are receiving the distinction that they so much deserve.

Larry Nelson's life and career serve as an inspiration to all of us in any walk of life, an inspiration to pursue new interests and work to achieve the highest levels of success through faith in one's God-given talents, and Larry indeed has that gift.

When he was recently asked about how much longer he would be a golfer, Larry replied that he will keep playing as long as he enjoys it. Knowing Larry's love for the game, I predict we will get to see his successes for some time to come.

Mr. Speaker, I ask that you and all of my colleagues join me in congratulating Larry Nelson on his past accomplishments and his present induction into the Golf Hall of Fame.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. 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.)

STATUS REPORT ON CURRENT SPENDING LEVELS ON BUDGET SPENDING AND REVENUES FOR FY 2006 AND THE 5-YEAR PERIOD FY 2006 THROUGH FY 2010

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

Mr. NUSSLE. Mr. Speaker, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2006 and for the five-year period of fiscal years 2006 through 2010. This report is necessary to facilitate the application of sections 302 and 311 of the Congressional Budget Act and section 401 of the conference report on the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). This status report is current through April 21, 2006.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the aggregate levels set forth by H. Con. Res. 95. This comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2006 because those years are not considered for enforcement of spending aggregates.

The second table compares, by authorizing committee, the current levels of budget authority and outlays for discretionary action with the "section 302(a)" allocations made under H. Con. Res. 95 for fiscal year 2006 and fiscal years 2006 through 2010. "Discretionary action" refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2006 with the "section 302(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation as well as the 302(a) allocation.

The fourth table gives the current level for 2007 of accounts identified for advance appropriations under section 401 of H. Con. Res. 95. This list is needed to enforce section 401 of the budget resolution, which creates a point of order against appropriation bills or amendments thereto that contain advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2006 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 95

[Reflecting action completed as of April 21, 2006—On-budget amounts, in millions of dollars]

	Fiscal year 2006	Fiscal years 2006–2010
Appropriate Level:		
Budget Authority	2,144,384	(1)
Outlays	2,161,420	(1)
Revenues	1,589,892	9,080,006
Current Level:		
Budget Authority	2,137,666	(1)
Outlays	2,157,194	(1)
Revenues	1,607,180	9,176,059
Current Level over (+) / under (−)		
Appropriate Level:		
Budget Authority	−6,718	(1)
Outlays	−4,226	(1)
Revenues	17,288	96,053

[1] Not applicable because annual appropriations acts for fiscal years 2007 through 2010 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing new budget authority for FY 2006 in excess of $6,718,000,000 (if not already included in the current level estimate) would cause FY 2006 budget authority to exceed the appropriate level set by H. Con. Res. 95.

OUTLAYS

Enactment of measures providing new outlays for FY 2006 in excess of 4,226,000,000 (if not already included in the current level estimate) would cause FY 2006 outlays to further exceed the appropriate level set by H. Con. Res. 95.

REVENUES

Enactment of measures that would reduce revenue for FY 2006 in excess of $17,288,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 95.

Enactment of measures resulting in revenue reduction for the period of fiscal years 2006 through 2010 in excess of $96,053,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by H. Con. Res. 95.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR DISCRETIONARY ACTION

[Reflecting action completed as of April 21, 2006—Fiscal years, in millions of dollars]

House Committee	2006		2006–2010 Total	
	BA	Outlays	BA	Outlays
Agriculture:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Armed Services:				
Allocation	0	0	0	0
Current Level	−23	−24	−57	−64
Difference	−23	−24	−57	−64
Education and the Workforce:				
Allocation	100	100	500	500
Current Level	−12	−25	28	33
Difference	−112	−125	−472	−467
Energy and Commerce:				
Allocation	100	100	2,000	2,000
Current Level	1,141	981	2,283	2,240
Difference	1,041	881	283	240
Financial Services:				
Allocation	0	0	0	0
Current Level	2,210	2,210	3,356	3,356
Difference	2,210	2,210	3,356	3,356
Government Reform:				
Allocation	50	50	50	50
Current Level	−1	−1	0	0
Difference	−51	−51	−50	−50
House Administration:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Homeland Security:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
International Relations:				
Allocation	0	0	0	0
Current Level	−25	−25	−27	−27
Difference	−25	−25	−27	−27
Judiciary:				
Allocation	6	6	6	6
Current Level	0	0	0	0
Difference	−6	−6	−6	−6
Resources:				
Allocation	8	8	50	50
Current Level	0	2	1	3
Difference	−8	−6	−49	−47
Science:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Small Business:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Transportation and Infrastructure:				
Allocation	3,027	0	4,107	0
Current Level	4,445	662	37,375	1,521
Difference	1,418	662	33,268	1,521
Veterans' Affairs:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Ways and Means:				
Allocation	350	346	1,537	1,914
Current Level	705	720	311	373
Difference	355	374	−1,226	−1,541

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2006—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

(In millions of dollars)

Appropriations Subcommittee	302(b) Suballocations as of November 2, 2005 (H. Rpt. 109–264)		Current level reflecting action completed as of April 21, 2006		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	17,088	18,691	17,031	18,747	−57	56
Defense	403,280	372,696	393,131	406,132	−10,149	33,436
Energy & Water Development	30,495	30,273	30,495	30,696	0	423
Foreign Operations	20,937	25,080	20,937	25,213	0	133
Homeland Security	30,846	33,233	30,846	33,184	0	−49
Interior-Environment	26,159	27,500	26,159	28,760	0	1,260
Labor, HHS & Education	142,514	143,802	142,514	143,848	0	46
Legislative Branch	3,804	3,804	3,804	3,809	0	5
Military Quality of Life-Veterans Affairs	44,143	81,634	44,143	41,803	0	−39,831
Science-State-Justice-Commerce	57,854	58,856	57,854	58,537	0	−319
Transportation-Treasury-HUD-Judiciary-DC	65,900	120,837	66,518	121,433	618	596
Unassigned	0	430	0	0	0	−430
Total (Section 302(a) Allocation)	843,020	916,836	833,432	912,162	−9,588	−4,674

STATEMENT OF FY2007 ADVANCE APPROPRIATIONS UNDER SECTION 401 OF H. CON. RES. 95—REFLECTING ACTION COMPLETED AS OF APRIL 21, 2006

(In millions of dollars)

	Budget Authority
Appropriate Level	23,158
Current Level:	
Elk Hills	0
Employment and Training Administration	2,463
Education for the Disadvantaged	7,383
School Improvement	1,435
Children and Family Services (Head Start)	1,389
Special Education	5,424
Vocational and Adult Education	791
Payment to Postal Service	73
Section 8 Renewals	4,200

	Budget Authority
Shipbuilding and Conversion, Navy	0
Total	23,158
Current Level over (+) / under (−) Appropriate Level	0

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 7, 2006.

Hon. JIM NUSSLE,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2006 budget and is current through April 3, 2006. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006. Pursuant to section 402 of that resolution, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 2 of the report). This is my first report of the second session of the 109th Congress.

Sincerely,

DONALD B. MARRON,
Acting Director.

Enclosure.

FISCAL YEAR 2006 HOUSE CURRENT LEVEL REPORT AS OF APRIL 3, 2006

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	n.a.	n.a.	1,607,180
Permanents and other spending legislation [1]	1,354,569	1,313,097	n.a.
Appropriation legislation	1,333,823	1,323,802	n.a.
Offsetting receipts	−479,958	−479,958	n.a.
Total, enacted in previous sessions:	2,208,434	2,156,941	1,607,180
Enacted this session:			
Katrina Emergency Assistance Act of 2006 (P.L. 109–176)	250	250	0
An act to make available funds included in the Deficit Reduction Act for the Low-income Energy Assistance program for 2006 (P.L. 109–204)	1,000	750	0
Total, enacted this session:	1,250	1,000	0
Entitlements and mandatories:			
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs	−72,018	−747	n.a.
Total Current Level [1 2 3]	2,137,666	2,157,194	1,607,180
Total Budget Resolution	2,144,384	2,161,420	1,589,892
Current Level Over Budget Resolution	n.a.	n.a.	17,288
Current Level Under Budget Resolution	6,718	4,226	n.a.
Memorandum:			
Revenues, 2006–2010:			
House Current Level	n.a.	n.a.	9,176,059
House Budget Resolution	n.a.	n.a.	9,080,006
Current Level Over Budget Resolution	n.a.	n.a.	96,053
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

Notes: n.a. = not applicable; P.L. = Public Law.

1. The Deficit Reduction Act of 2005 (P.L. 109–171) was enacted early in this session of Congress, but is shown under "enacted in previous sessions" as requested by the Budget Committee. Included in current level for P.L. 109–171 are $980 million in budget authority and −$4,847 million in outlays.

2. Pursuant to section 402 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes the following amounts:

	Budget Authority	Outlays	Revenues
Emergency requirements enacted in previous session	74,981	112,423	−7,111
Katrina Emergency Assistance Act of 2006 (P.L. 109–176)	−250	0	0
National Flood Insurance Enhanced Borrowing Authority Act of 2006 (P.L. 109–208)	2,275	2,275	0
Total, enacted Emergency requirements:	77,006	114,698	−7,111

3. Excludes administrative expenses of the Social Security Administration, which are also off-budget, but are appropriated annually.

Source: Congressional Budget Office.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PRICE of Georgia. Mr. Speaker, what a pleasure it is to be back in front of my colleagues talking about items that are of such remarkable importance to us across our United States. We have been away for 2 weeks now at home on a district work period, and it is my privilege to come on back and take this leadership hour. I thank the leadership for allowing me to spend a few moments with some of my colleagues to talk about an issue that has really come to the fore in the past couple of weeks. But first I want to just introduce the Official Truth Squad once again.

The Official Truth Squad, many folks know, began with a group of Republican freshmen Congressmen and -women who said after about 6 months here in Washington that, well, you know, there seems to be a tone or a tenor to the debate here that is not productive, and there seems to be a lot of personal animosity that is getting in the way of solving the remarkable challenges that we have here in our Nation.

So we thought it was appropriate, because oftentimes when the anger and the emotion get greatest, that is when truth flies out the window, we thought it was appropriate to form this Official Truth Squad. What we try to do is to come before the House of Representatives almost every night when we are in session and to talk about particular issues that are of importance to the American people and talk about them in a way that hopefully is a little more positive, a little more enthusiastic about the solutions to the challenges that we have before us as a Nation, but grounded in truth, because if you don't talk about truth, you can't get to the right solutions. Everybody knows that.

We have been very, very pleased with the response that we have had really across the Nation, because one of the things we were so disturbed by was the general level of politics, of what I call the politics of division. The politics of division are tried and true, and they occur when people pit one group in our society against another and make it so that you have got to be for one and against another, and you can't be for both. It just really makes it difficult to solve problems when you have that kind of rhetoric going on.

There was a gentleman that kind of put it all in perspective a little over 100 years ago, the Reverend William Boetcker, who was a public speaker and a leader of the day back at the turn of the 20th century, the 19th to the 20th century. One of his heroes was

Abraham Lincoln, and he attempted to crystallize what he thought would be Abraham Lincoln's philosophy on social discourse in different sectors of society.

I find it helpful always to look back at this quote, and I will share it with the House this evening, Mr. Speaker. This is a quote: ''You cannot bring about prosperity by discouraging thrift; you cannot strengthen the weak by weakening the strong; you cannot help the wage earner by pulling down the wage payer; you cannot encourage the brotherhood of man by encouraging class hatred; you cannot help the poor by destroying the rich.''

Really, I think that crystallizes what ought to be the American philosophy, because we are all in this boat together. We have all of these challenges that we must face together, and truly there are not necessarily Republican solutions or Democrat solutions, but there are American solutions. But unless we work together, we really won't be able to get to the right solutions.

As I mentioned, we have all been home for the past 2 weeks on our district work period. I have had an opportunity to meet with so many constituents across the Sixth District of Georgia, and I know that my colleagues have talked with their constituents and their friends and neighbors at home.

Mr. Speaker, I will tell you that one of the most important issues that is now confronting us as a Nation is the issue of energy prices, gas prices at the pump. We have seen a significant increase over the past number of weeks and months, and I think it is important when we talk about this issue, especially to talk about truth.

I thought I would begin just by sharing, everybody knows what the gas price is in their community. They range from, in my hometown it was $2.89 when I drove to the airport this morning for a gallon of gasoline. It goes down in some areas of the Nation to $2.40, $2.50. In some areas it is up in the high $3s.

Because we are interested in the truth here, I thought it would be helpful to share what some of the prices are around the world in other Western nations. What are these nations paying? This is what they were paying 2 weeks ago, the latest numbers we have. Belgium, $6.10 for a gallon of gas; France, $5.00 for a gallon of gas; Germany, $5.96 for a gallon of gas; Italy, $5.91 for a gallon of gas; the Netherlands, $6.73 for a gallon of gas; and the United Kingdom, Great Britain, $6.13 for a gallon of gas. At the same time in the United States, $2.88 on average for a gallon of gas.

That sounds like a lot of money, and indeed it is, but when we compare it to the rest of the world, which is the truth about this situation, it is extremely important that we talk about these numbers in a way that allows the American people to have as much information as possible when it comes to the issue of gasoline prices and energy prices. Otherwise, we are all just getting up here giving our opinion.

This brings me to the favorite quote of the Official Truth Squad, and that comes from a former Senator from the State of New York, Daniel Patrick Moynihan, who used to say, ''Everyone is entitled to their own opinion, but they are not entitled to their own facts.''

Mr. Speaker, that is so true about this issue and so many others, because unless we are talking about facts, unless we are talking about the truth, we can't get to the right solutions. So I would encourage my colleagues across the House to remember this when we are dealing with issues, especially as important as those that relate to energy prices and gasoline prices.

We are going to talk tonight about how we got to where we are, where are we, what the situation is and what kinds of things the United States and this Congress is doing in a positive and productive way to solve the challenges that we have in the area of energy.

I will be joined by a number of colleagues. First I am joined by a great friend and colleague from Tennessee, the Congresswoman from Tennessee, Mrs. BLACKBURN, who has been an incredible leader in our conference about so many areas, including the economy. She participated in small business, and just brings a wealth of experience and information to the table. I know that she has some thoughts to share with us tonight on the issue of energy and gas prices.

I welcome you this evening.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Georgia for his leadership on the issue. As you were saying, we are all in this boat together when we look at the energy issue and look at not only the fuel for our cars, but for our homes, how we generate electricity, how we address the energy needs of a booming economy, how we address the energy needs of a growing population.

As you said so very well, this is not a Democrat or a Republican issue, this is an American issue, and we need to go back and let history be a great teacher for us on this issue. How did we get to this point? This issue didn't just happen last week or last month or even last year. This is something that has been growing for a period of time. I really look at it as something that has been coming together over the past 30 years, when we look at what has happened with this.

If we go back to the mid-70s, a good start date to take for the sake of discussion on this issue is 1976. The reason we go back to 1976, Carter was President then and that was the last year that we had a refinery built in this country. That was the last year in which a new refinery, oil or gas refinery, was built on U.S. soil.

What we saw happen was an increase in regulation from the EPA and from OSHA and different environmental groups and different demands that environmental groups would place on creating or developing a new refinery or going out and exploring for oil or gas or developing new technologies to extract oil and gas to bring forward for the refining process.

Since 1976, we have seen layer upon layer upon layer of mandates, of rules, of regulations, that have made it very, very difficult to bring forward new technologies so that we can meet the energy needs of this Nation.

□ 2045

So that we are meeting the energy needs of this Nation. Great for instance. When you inventory what we had on line with refineries in 1981, there were 324 oil and gas refineries in this country in 1981. Today there are 148 refineries; 148 refineries. And, you know, the last refinery that went up in this country was out in Yuma, Arizona. It took 5 years and 4 months to get through the permitting process to put that refinery in place.

So we see that what we have done is to put in place a process where we have fewer refineries that are working, and fewer refineries to actually process the oil and gas that we need. Now at the same time our population is growing, we have more cars on the road, and we have more houses. Home ownership is at an all-time high.

We need to be processing 21 million barrels of oil a day. We have the capacity to refine 17 million barrels of oil a day. So what we have is a very tight supply line, and it is difficult for us to meet those needs with the current infrastructure that is in existence.

What we have to do also is couple those facts of fewer refineries and making it very difficult to do exploration and development. Now, you know, and I will tell you, the liberals on this issue need to realize the double-talk ought to stop. The double-talk needs to stop because you cannot have it both ways.

You do want oil and gas, but then you do not want the prices to be high, but you do not want to go drill in ANWR, you do not want to inventory the Outer Continental Shelf, and you do not want to extract any of those gas deposits that are there, and heaven knows, let us not go drill in the West. And that is what we have the tendency to hear.

But at the same time, they are saying gas is too high, we need to immediately move to alternative fuels. But then they say, you are not doing enough for alternative fuels, but the gas prices are too high. And, you know, I will tell you, Mr. Speaker, it is that kind of double-talk that makes it very difficult to sit down and work out a solution to this that is going to help us with this issue.

And I will tell you, Mr. Speaker, I look at this with the fewer refineries, with the lack of exploration and development, Hurricanes Rita and Katrina taking fully 25 percent of our refineries off line, and what you have is the perfect storm of an energy crisis. And at

the same time that is happening, we are switching from the MTBE to ethanol.

There are some supply line problems with the distributors there. And, yes, this has been a very difficult week. And I am like most persons. I go to fill up my car, and I just, you know, gasp at the price. And I think, my goodness, this is not what we are used to. This is not what we have planned for. This is not what we have budgeted for. It is so expensive.

And I held town hall meetings, as you were saying, as the gentlemen from Georgia was saying, visiting with my constituents. And you talk to those who are on the school boards who are saying, you know, it is costing more to run buses, and you talk to those who are running their county governments. They are saying, our supply costs and our fuel costs are going up.

And it says, yes, indeed we need to do something. And I think it is very important that we realize that there are some things we can do in the short term. There are some things that we will do that will affect the midrange, and then we need to be very conscious as we look at a long-range plan, and as we look at working toward an energy independence day.

And, Mr. Speaker, I look forward to working with the gentleman from Georgia in returning another night to talk a bit more about energy independence day and how we would get there and what that would look like.

And I think that as we look at this issue, we know legislatively there are some things that we can do and have done. We have passed the Energy Policy Act from the committee where I hold a seat, Energy and Commerce. And we first passed that piece of legislation in 2001, and it languished across the dome with our friends in the Senate. And finally this past June we were able to get that signed into law and passed to put $8 billion on to alternative fuels development, to simplify some the permitting process so that it is easier for those refineries to stand up and begin processing the fuels that we need.

You know, there is another piece of legislation, the Gas Act, that we passed after Katrina took place, and that is the piece of legislation we passed in this body on a 212–210 vote. It would federalize and put in place Federal penalties for price gouging. Unfortunately we did not have any help from our friends across the aisle on that. And we felt it was important to put in place, to federalize price gouging. Now, that piece of legislation that we passed is sitting in the Senate. The liberals are holding it up. It is time for us to pass this.

I yield to the gentlemen from Georgia.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentlewoman for yielding.

I have got a number of posters about what, in essence, is the double-talk that you raise. Our good friends on the other side of the aisle, the liberals on the other side of the aisle, tend to talk one way, and then they vote another.

I just wanted to highlight the one you just mentioned, because this Gas Act is so remarkably important for energy independence for our Nation. It was roll call vote 519. This is what the Truth Squad is all about, bringing you information, facts that you might not be able to have otherwise. Roll call vote 519 in 2005, the Gas Act. Every single Democrat voted no. Every single one voted no, which just crystallizes that double-talk that you highlighted so very, very well.

I yield back.

Mrs. BLACKBURN. If the gentleman will yield. Yes, this is one of the things, and let us continue to look at this poster. You know, do we care more about caribou in ANWR, or do we want to come into an area that is an enormously large area and go into an area land-mass-wise that is about the size of the State of South Carolina, and go into an area that is about the size of the Atlanta airport and drill, and go in on ice roads during the winter and drill?

You know, I mentioned that we need 21 million barrels of oil a day, and that we have the capacity for 17 million. In that field in the North Atlantic Wildlife Refuge, that field would yield as much as 1 million barrels a day. So I think that this is the time when we have to say, where are our priorities? And how are we going to use the fossil fuels that we have while we try to wean ourselves from foreign oil, and while we develop alternative sources, and as we look at this electric power generation?

I was in another State in a coastal area with one of our colleagues, and we were going across a bridge. I had been speaking in one area, and we were going to the other for a speech. And there were two power plants on either side of this bridge out in this bay. And as I looked out there, I said, oh, are these on hydroelectric power? What are we using? What is the source here? Is it wind? Is it water?

One was burning coal; the other was burning oil and gas. You know, you have to say, if they are both using fossil fuels, why are we doing that and not being good stewards of our fossil fuels and using all of those other natural resources that we have?

So this is a time for us to say, let us be very thoughtful, let us learn some lessons from what has happened over the past 30 years. Let us look at what happens when you give environmental groups the say over how you are going to develop your energy policy. When you say we are going to work day in and day out, and we are going to keep you from drilling, let us look at the lessons that we have learned and what ends up happening in the long run.

And as we look at conservation and preserving efforts, which will help us with the short-term fix, when we look at the legislative efforts that will help us in the midterm and the long term, let us be very, very mindful that every piece of legislation that we pass is going to have some consequences whether intended or unintended, and we need to be very mindful of that.

With that I yield back to the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentlewoman for her perspective and a cogent laying out of exactly what this situation is that we have right now, how we have gotten into this situation, and what sort of alternatives that we have.

And your statement about things beginning 30 years ago is so appropriate, because this did not happen overnight. We find ourselves in this situation now because of the policies of past Congresses, policies of past administrations, and the action of so many folks that brought us to this point right now.

And it is not going to be fixed overnight, but we are well on our way. We want to assure the American people that we are well on our way to making it so that we are energy independent. I appreciate your presentation so much.

I do want to highlight a couple of our items that were discussed as we move forward with the Official Truth Squad and talk about energy policy and gas prices. So much of the discussion that you have heard by some of our friends on the other side are talking about, in fact it has been this evening in the well and earlier today in the well, and they talk immediately about their solution, which is always to either put a cap on something or to tax something. And you have got to listen carefully, because sometimes the language is couched. But price controls or a windfall profit tax we have heard bandied about, increase the taxes. But the truth is that that action would be extremely detrimental. And I say that with all sincerity, pointing to the Official Truth Squad poster.

And folks will say, well, how do you know that? Well, we know that because of history. And history has a tendency to repeat itself unless you learn from it. And there is great history that we have, and it is not that long ago. There is a wonderful policy primer that was put out by the Cato Institute in Washington. It has got great information about what they call the case against oil price controls and windfall profit taxes, and they do so in a very academic and appropriate way by citing the information that we have available to us just a generation ago. And I want to read some of the information that was presented in this. And I will quote from it a number of different times.

One of the broad conclusions that they make is that, quote, free markets are more efficient than controlled markets. And goods and services are more available and less expensive in free markets as opposed to controlled markets.

So restricting product prices for profit opportunities invariably reduces investment in conservation and new supply. Now, that may seem counterintuitive, but if you restrict the opportunity for our system to work, our market system to work, our free market system to work, if you restrict that in certain ways, then what happens is that people say, well, I will not invest in new forms of energy. I will not invest in the new opportunity to find more oil. I will not invest in things that will declare our dependence on foreign oil. I will go invest in something elsewhere if the government is not involved. And it actually decreases supply. And we had a very clear example of that in the 1970s and the 1980s when price controls were enacted by this Government, and when the windfall profit tax was in place between 1980 and 1988.

There was an economist, Joseph Kalt, who, in 1981, a Harvard economist, I do not often quote a Harvard economist, Mr. Speaker, but I will tell you that he has some sage advice for us. And Kalt studied the price controls that were enacted in the 1970s, and he drew these conclusions.

He stated that price controls and the incentive to import created by the entitlement program reduced the incentive to bring new domestic oil to market. These are the things being considered on the other side of the aisle right now, and being touted as the be-all and end-all.

Kalt calculated as a result, domestic production was .3 to 1.4 million barrels per day lower, lower than it would have been otherwise. Clear example that price controls do not work.

In spite of that fact, clearly a demonstration, truthful demonstration, of what happens when you restrict that market.

Another quote, a few observations about the price control experience of the 1970s jumped out at the analysts. First, price controls are simply ideas in theory, but they are extremely complicated exercises in practice.

□ 2100

Second, a tremendous amount of political pressure inevitably arises under price control regimes to provide regulatory benefits to favorite producers at the expense of less-favored producers, thus distorting markets even further.

Third, price controls have unintended consequences and often exacerbate the problems they ostensibly are designed to address.

Again, if you want to tell what the future is going to be, and you want to enact policies that have been tried in the past, then it is a pretty good bet that if you look at the consequences of the policies that were tried in the past, that you can tell what the future is going to be. Hopefully we want to look in a sober way at the policies that were enacted in the past so that we can determine whether or not we want, in fact, to go down that same path.

I would suggest to you, Mr. Speaker, that going down that same path for price controls and windfall profit tax, which sound wonderful, I mean they really do. I mean, you say we ought not to be having to pay that much at the gas pump. If we are paying that much, then somebody else is just making too much money.

The problem is, Mr. Speaker, that the policies of price controls and windfall profit tax don't have their intended effect. They don't result in a decrease in price significantly, and they significantly decrease the amount of availability, which then indeed drives up prices even more.

The conclusion of this treatise on price controls and windfall profit tax is very telling and, I think, very instructive. It goes as follows. The observation that price controls induce scarcity and impose net losses on the economy is as uncontroversial among economists as are observations about gravity among physicists. Let me read that again. Sometimes you can get lost in really the magnitude of a statement like that, but I think it is important, and it is very instructive for us as a Congress, for us as a Nation. The observation that price controls induce scarcity and impose net losses on the economy is as uncontroversial among economists as are observations about gravity among physicists.

He goes on to say the experience of the 1970s further suggests that price controls may not even achieve their stated goal of reducing consumer prices. Intervention in oil markets historically has improved the welfare of politically popular market actors, primarily small independent oil producers and small refinery owners rather than the welfare of consumers.

Whether politicians intended that to be the case is unclear. Regardless, if wealth distribution is the rationale for price controls and windfall profit taxes, general individual and corporate income taxes are certainly less costly and more equitable than sector-specific market intervention.

Now, people often support price controls and windfall profit taxes because they don't believe that oil producers have a moral right to higher-than-normal earnings. Mr. Speaker, how often have we heard that the last 2 weeks, that these profits are immoral? I heard it, certainly heard it. I heard it from the other side of the aisle.

He goes on there somehow there is a widespread sentiment that it is somehow wrong for owners to profit when exogenous events greatly inflate the value of commodities that they own. Yet those who hold that opinion don't oppose windfall capital gains for homeowners. In fact the public tends to cheer rising home prices and reacts to falling home prices as a problem to be solved.

Now, why is it morally wrong for some parties but not others to periodically earn windfall profits is a mystery that we cannot solve. That is the writers of this paper.

Regardless of the moral issues involved, Federal efforts to take excess profits from oil companies whether via price controls or excise taxes are bad public policies. They fail to achieve their proximate aim, which is to reduce prices paid by retail consumers, but do manage to reduce supply, increase imports and impose steep costs on the economy.

Mr. Speaker, I tell you, those comments, that statement, that conclusion of history, which is truth based upon what happened, is extremely telling. They fail to achieve their proximate aim, which is to reduce prices paid by retail consumers, so they don't decrease the prices. They don't decrease the prices.

If you put price controls on, and you put in place what is euphemistically called a windfall profit tax, it doesn't decrease the price. What it does do is it manages to reduce supply, increase imports and impose steep costs on the economy.

I don't know that there is a more clear evidence that moving in the direction of price controls or windfall profit taxes would just be the wrong thing to do, wrong for the economy, wrong for consumers, wrong for my constituents, wrong for the American people. I am hopeful that my colleagues will be mindful of the information that we have available to us about past actions.

I also want to just point out that when you hear people talk about how it is, quote, immoral, unquote, for somebody to earn that kind of profit, please harken back, harken back to the politics of division that I mentioned before, that the philosophy that was felt to be that of Abraham Lincoln and those who had a sensibility about how we as a society ought to move forward, and remember what he said. You cannot help the poor by destroying the rich. That is oh so true, Mr. Speaker.

I do also want to cite one other portion of this treatise. You have heard a lot of people talk about price fixing or collusion between oil companies for the cost of gasoline at the pump. This is a citation in this paper, but it is very telling because it is a nonpolitical arm of the government talking, and it is independent individuals who drew these conclusions.

The conclusion that they drew is significant. We are unaware of any governmental investigation since the formation of the OPEC cartel that has found evidence of price fixing or collusion in U.S. gasoline markets. The Federal Trade Commission concludes that, quote, the vast majority of the FTC's investigations have revealed market factors to be the primary drivers of both price increases and price spikes. Those investigations, it should be noted, were undertaken by both Republican and Democratic administrations.

Mr. Speaker, I am so disturbed when I go home and I hear people at home talk about the inability of Congress to get together and solve problems. What

I say to them is that the level of demagogy on the part of many here is very disturbing, and it does a disservice to us all.

Again, these aren't Republican problems, they aren't Democrat problems, they are American problems, they are American challenges. We solve them best if we solve them together. I urge my colleagues to work together to not throw around the kind of language that we have already heard again today by others, because it is destructive, doesn't help.

What is the problem? Now, my good friend from Tennessee alluded to much of the problem, and I want to refer to a number of things that she said. I want to remind folks, though, about The Official Truth Squad favorite quote, and that is, again, because we are going to talk about facts now, that is from Senator Daniel Patrick Moynihan, who said, everyone is entitled to their own opinion, but you are not entitled to your own facts. Let's talk about some facts. Let's talk about why gas prices are high now.

You will hear a lot of folks conjecture and throw around things that they say are the reason that gas prices are so high. But I think there are, there are five or six general areas that can be distilled as to addressing why gasoline prices now are at the level that they are.

Remembering though, Mr. Speaker, that gas prices in other nations, other Western nations, are significantly greater. Remember the U.K., $6.13 for a gallon of gasoline; Germany, $5.96 for a gallon of gasoline; Belgium, $6.10 for a gallon of gasoline. But why are gas prices at an average of $2.88 in the United States?

There are a number of reasons. First reason that can be clearly pointed out is that we are in that time of year where we are changing gasoline blends, and this change disrupts the supply chain. What happens is that between winter and summer, the seasonal blends traditionally cause spikes at this time of year in gas prices. We are fond of saying at home, we have been for the past number of years, you hear people say, well, it is time for summer vacation, so they will crank up the prices again. But what is happening is there is a different formula of gasoline, the season blend of gasoline that is used in the summer, as opposed to the winter. That cost, just that shift to that different blend, causes some increase in price.

Also, the Energy Policy Act that we passed in 2005 ends the federally mandated oxygenate requirement for some gasoline blends beginning on May 5. Fearing an exposure to MTBE lawsuits, Mr. Speaker, fearing an exposure to MTBE lawsuits, refiners are, instead, turning to ethanol, and that is causing a significant increase in the cost of gasoline.

I will say to my friends on both sides of the aisle that there are three things that consistently drive up the cost of doing any business and providing increased cost to the bottom line for a service or a product. You know what these are well, Mr. Speaker. They are taxation, they are litigation, and they are regulation.

My good friend from Tennessee earlier talked about a lot of the regulatory challenges that we have in the area of energy policy that make it so that the cost of gasoline is higher than it ought to be. But what you just heard is that there are oil companies that because of the true threat of litigation have changed their formulation to include ethanol instead of MTBE. That cause, that threat of litigation, has caused a significant increase in the cost of gasoline, the addition of ethanol that they are using in place of the MTBE. Information agency estimates that the switch from MTBE to ethanol is responsible for an additional 5 cents a gallon in cost. Remember, that is a switch that much of which is brought about because of the risk of litigation.

Now, there are also tariffs on ethanol imports. So more intervention has resulted in tariffs on ethanol imports, which companies say they are relying on in greater quantities, and that those tariffs add 54 cents a gallon to a gallon of ethanol. Reports forecast that we might need an additional $2 billion of ethanol this year alone.

Mr. Speaker, 2 billion gallons of ethanol, 54 cents a gallon, an extra $0.05 a gallon for the switch. Mr. Speaker, that looks to me like something over $1 billion. That has got to be made up. So that is driving the cost.

Now, that is truth. Changing the gasoline blends, the addition of ethanol, those are two specific areas that have resulted in a marked increase in the price of gasoline at the pump.

Now, we can talk all we want about price controls and windfall profit taxes and the like, but they will not affect either of those costs at all. Not at all. In fact, they will decrease the supply if we adopt any of those, quote, solutions.

What is another reason that the price of gas is up right now? Gulf coast disruption. Tight supplies mean even one unscheduled refinery shutdown with can drive up gasoline prices; 22.3 percent of gulf coast oil production is still shut down from the hurricanes of last fall, 22.3 percent of gulf coast oil production is still shut down. That results in about over 300,000 fewer barrels of domestic oil available to Americans on any given day. So we have got some factual reasons why the price of gasoline at the pump is significantly increased.

What else? World supply and demand. Supply and demand. Our need for oil has grown, but we face new competition from other markets, particularly India and China, significantly increased economies. Their increase in economic viability is positive for the world, results in increased opportunities for all in the world, but they have a significant increase in demand for oil.

Our domestic production and our refining capacity haven't kept up. The gentlewoman from Tennessee earlier talked about the lack of any new refinery in our Nation coming on line in the last 30 years. It is phenomenal, Mr. Speaker, it is phenomenal.

□ 2115

It is not right. And that has been a result of significant policies that have increased regulation, have increased the threat of litigation, and taxes have been so significant so that they haven't brought new refineries on line. Those kinds of things do not happen overnight. They do not happen overnight. And these problems haven't happened overnight.

We are not functioning in a vacuum either. It is not like you can order crude oil from one place in the world and expect it to always be there. Threats of supply reduction from Nigeria, Iran, and Venezuela have also caused crude oil prices to rise. So there is some real certain truthful reasons why the price of gas is what it is right now, not some conjecture. You don't have to make anything up. There is real evidence as to why the price of gas is what it is.

Fifth. Lack of domestic oil production. Here is one that really irks many folks in my district. They say, we've got gasoline available, we've got oil available right under our own Nation and within our own properties and off our own shores that can be obtained with great respect for the environment, that can be obtained safely, so why on Earth doesn't Congress enact the opportunity to be able to get that oil?

We are going to need much more oil before we ever kick our dependence on it, without a doubt. But, unfortunately, current law leaves nearly 100 billion barrels of oil out of reach to Americans. Out of reach to Americans. It is American oil. It is an American resource. And until that changes, American families will continue to pay more than they should for gasoline.

At a time when we import most of our crude oil and, increasingly, gasoline, these restrictions also undermine the Nation's security and prop up authoritarian regimes around the world. I will tell you, my folks at home are fed up. They say, look, we've got to, as a government, make certain that we can utilize the resources that we have.

And, finally, Washington inaction. Now that is something that probably is as true for this as it is for many, many other areas; but these problems, as I mentioned, took decades to develop and to come about. Most folks don't remember that 10 years ago this Congress passed the opportunity to utilize some of those resources that I mentioned and that President Clinton vetoed, vetoed the opportunity to, in an environmentally safe way, take care or utilize the resources that we have available to us in Alaska.

That is a fact. That is the truth. That is the truth. And that is what we

are here tonight to talk about, is the truth behind why gas prices are where they are and what the solution is. So by way of summary, the gas prices are significant and high, higher today than they have been in the past for a variety of reasons. Changing gasoline blends, the addition of ethanol, disruption down on the gulf coast, world supply and demand, lack of our own domestic oil production, and then Washington inaction. Bureaucratic Washington inaction.

So, Mr. Speaker, I hope that has been helpful to my colleagues listening and those folks listening around the Nation as we talk about the extreme importance of addressing an issue that during our 2 weeks home I heard an awful lot about.

I am pleased to be joined by a number of colleagues, and now I would like to introduce a good friend and colleague, a member of the freshman class, a member of the Official Truth Squad, Congresswoman VIRGINIA FOXX from North Carolina. She has a great background of study, and I have always been impressed with her ability to crystallize an issue and to do the due diligence on how we got to a situation, how we arrived at a problem and what the solution is.

I look forward to her comments this evening on the issue of energy and gasoline prices, and I yield to Congresswoman VIRGINIA FOXX.

Ms. FOXX. Thank you, Congressman PRICE. I appreciate very much again your leadership in bringing the information from the Truth Squad here to the floor of the House and am pleased to join you and Congresswoman BLACKBURN tonight to talk about energy prices.

You know, Mr. Speaker, the Democrats sure do like to have their cake and eat it too. Over and over again they complain about something and then turn right around and oppose any commonsense solutions offered by Republicans. I think you have done a good job of talking about some of the issues related to the high price of gasoline. None of us likes to pay a high price for gasoline, and those of us who are Members of Congress who have large districts probably are affected by it as much as a lot of the average Americans are because of our ability to get out in the districts and travel and visit with our constituents.

But Democrats have a way of talking about things and doing something differently. They are giving us a hard time now about the high price of gasoline. They talk about the deficit, they whine about the deficit, but they vote against slowing the growth of spending. They complain about the President's plan in Iraq, but they offer no alternatives. They say we need to increase border security, but they vote against the bills that would do just that. The list goes on and on.

The Democrats' latest case of hypocrisy is that they hold a press conference to complain about our rising energy prices, even though their actions have contributed directly to the problem. For a party that claims it is looking out for the best interests of the American people, it has a funny way of showing it.

For decades the Democrats have fought to stop production of all forms of energy. They voted against increasing domestic energy supplies, which would not only lower prices but create more jobs here at home. They have opposed Republican efforts to lessen the tax burden at the pump. They have opposed nuclear energy and renewable fuels. They have opposed cracking down on price gouging.

Republicans have been working hard, Mr. Speaker, to address rising energy prices, but all the Democrats do is vote ''no,'' and we don't think that ''no'' is an energy policy. Democrats have traditionally, again, and consistently opposed all GOP efforts to increase domestic energy production. For nearly three decades environmental extremists and their liberal allies in Congress have fought to halt production of all forms of energy. In fact, Democrat obstructionists have repeatedly voted against Republican efforts to increase domestic supply, encourage innovation and technology advancement, and lower the tax burden Americans pay at the pump.

Let me talk a little bit about the specifics on that. Five times Democrats have had a chance to vote for comprehensive energy reform for programs to expand the use of nuclear energy and renewable fuels, and five times they said no. And this is just in recent years.

July 25, 2005, H.R. 6, the Energy Policy Act of 2005, on agreeing to the conference report. It passed the House by a recorded vote of 275–256, but 124 Democrats voted ''no.''

June 15, 2004, H.R. 4503, Energy Policy Act of 2004, on passage, 152 Democrats voted ''no.'' It passed by 244–178.

November 18, 2003, H.R. 6, Energy Conservation Research and Development, on agreeing to the conference report, 154 Democrats voted ''no.''

So they have consistently voted ''no'' on issues that would help us increase the energy supply.

We think that folks need to ask the minority leader some questions about rising gas prices and her record on that, and the Democrats' record on it. They have fashioned an abysmal record on energy issues that are important to the American public, yet now they have the temerity to complain about the strain of rising gas prices.

Here are some questions that need to be asked. In the face of rising gas prices for working families, why have you and your Capitol Hill Democrats consistently opposed measures designed to increase the supply of American energy?

With world energy prices rising because of increased demand, why did 124 of your House Democrats vote against the energy bill in 2005 to encourage the expansion of clean nuclear energy supplies?

Question number three that could be asked: In the face of rising gas prices for Americans, why did 196 of your House Democrats vote against the 2005 energy bill that would have streamlined the process of refinery expansion and construction that is so critical to the future of America's energy infrastructure?

Question number four: With gas prices for working Americans on the rise, why do you oppose major labor organizations, such as the International Brotherhood of Teamsters, who actively petitioned the Congress to increase domestic energy supplies to create jobs for their workers?

And last but not least, the fifth question: In the face of rising gas prices for working families, why do you and the Democrats continue to vote ''no'' on every responsible proposal that would put Americans to work producing more of our own American energy to lower prices?

Again, the Democrats want to have it both ways. They want to talk about the problem and put it off on us, but they want to avoid coming up with a way to solve the problem. We need to ask these questions of the Democrats and put them on the spot about why gas prices are so high.

They are responsible for it, because they have refused to allow us to come up with ways to provide alternative energy. I hope Americans will write their Members of Congress, particularly the Democrats, and say to them: Why are you doing this? Why do you want gas prices to be so high and hurt working Americans?

Congressman PRICE, I think I am going to let you tidy up this session, since you have done such a great job of it, and thank you for letting me be a part of it.

Mr. PRICE of Georgia. Thank you, Congresswoman FOXX, so very much for your wonderful observations and really astute observations about many of the challenges that we have and bringing some truth to this issue of gasoline prices and why we are in the situation that we are in right now.

As we have talked about, this isn't a Republican problem or a Democrat problem; it is an American problem. And so we work best when we work together to solve these problems. So I encourage friends and colleagues on both sides of the aisle to make certain that as we move forward with this situation that we work together. Political demagoguery and casting aspersions on either side is just not helpful to the solution.

Now, we have reviewed the clamor that we have heard out there currently for price controls and windfall profit taxes and those kinds of things that we have demonstrated clearly don't work. Remember, the truth is that they do not work and we know that because of the history.

We have also talked about what has resulted in the situation that we are

in, why our gas prices are high. We have reviewed the items that have brought about the situation that we currently find ourselves in.

I thought it would be helpful to at this point very briefly talk about what has been done, because a lot has been done. Again, these problems that we have and the challenges that we have are a product of decades of activity that have put us in this situation, so these aren't going to be solved overnight. And anybody that says that they have the solution to bringing down gas prices right now is just not being truthful with the American people. And I think it is important to say that, because the truth is that the solution to this will happen over time, and it will happen by a number of things: increased production, conservation, alternative fuels, and all sorts of things.

I want to just share with you, Mr. Speaker, some of the things that have already been enacted. The Gasoline For America's Security Act of 2005 was passed, as was the Energy Policy Act of 2005. The Energy Policy Act of 2005 had some very specific items in it. It strengthens current supply. Strengthens current supply. It allows for new domestic oil and gas exploration and development. It requires the Department of the Interior to inventory oil and gas resources on the Outer Continental Shelf to enable the Federal Government to better assess the extent of these resources.

Again, when I go home, I hear people say, why don't you get to work and utilize the resources that we have? The technology is there to be able to do it in a very environmentally friendly way. It is a tough question to answer.

□ 2130

We are moving forward on that, and we need the help of our colleagues on both sides of the aisle.

The Energy Policy Act also encourages building of new refineries and expanding existing refineries. We need to streamline those regulations and decrease the amount of litigation exposure that those refineries have. Remember, we have not brought a new refinery on line in this Nation in 30 years, and we wonder why we are in the situation we are in.

The bill includes $2.9 billion for fossil energy research to ensure more efficient exploration and development of oil, gas and coal, while decreasing the environmental impact of fossil energy production and its use.

The Energy Policy Act of 2005 also increases conservation. That is extremely important. Conservation is so important to this solution, and anything we can do as a Nation and as a people to conserve fuel goes right to the bottom line. It improves things immediately.

The bill increases funding to $17.5 million over 5 years to the Department of Transportation to continue its work on improving the CAFE standards which set fuel emission standards for cars and light trucks sold in the United States.

It increases funding to the Department of Energy's Clean Cities Program, provides tax credits for the purchase of hybrid fuel cell advanced clean-burn diesel and other alternative-power vehicles. That is important.

When I talk to groups, I always try to ask how many folks own a hybrid vehicle. At this point only none or one or two folks raise their hand. I am hopeful in a year we will see tens of hundreds of people in my district, or thousands or more across the Nation. The tax credit is up to $3,200 per individual depending on the vehicle. That ought to be a great incentive, and it begins to make hybrid vehicles become competitive with other vehicles that are sold.

The bill also provides a 30 percent credit, up to $30,000, for an investment in alternative fuel refueling stations. A lot of the problem is we do not have many of those stations right now, and it is important to bring those on line.

The Energy Policy Act of 2005 also embraces new fuel choices, authorizes $3.7 billion for a hydrogen fuel cell program, and requires 7.5 billion gallons of renewable fuel to be included in all gasoline sold in the United States by 2015.

Many of us are working to try to make certain that we bring that kind of will and enthusiasm to bringing about energy independence for our Nation within the next 10 years.

It includes $3 billion dedicated to developing affordable, efficient, renewable energy technologies and promoting their widespread use.

It promotes clean and renewable fuels by providing incentives for clean coal technology and renewable energy such as biomass, wind, solar and hydroelectricity. It extends the renewable electricity production credit through December 31, 2007, and authorizes the issuance of $800 million of tax credit bonds before December 31, 2007, to support renewable investment in municipal power authorities, rural cooperatives, and others.

I think it is important to talk about those things that we already have done because I would venture to say, Mr. Speaker, when you go home and when you talk to your constituents, I know when I go home and I say we have done these things, they say, ''I have never heard about it.'' You are right, people do not hear about these things because they are not mentioned on the nightly news. This Congress does not get any credit for the positive work it is doing on the nightly news. You do not read about it in your newspapers, and you have a portion of individuals in this Chamber who want to down-talk and demagogue every single issue.

Mr. Speaker, it is just not productive. It is not positive. It does a disservice to every individual across this Nation, so I encourage my colleagues on both sides of the aisle to get together and work to make certain that we can continue to solve the energy challenges that we have as a Nation.

We are blessed to live in a wonderful and a glorious Nation. We are the hope of the world and continue to be a vessel of opportunity for so many people around the world. We do ourselves best when we work together and talk positively about the challenges that we have and positively about the solutions and make it so we can solve those challenges together as opposed to the kinds of difficult conversations that some folks tend to degrade into so quickly.

I urge my colleagues to work together as we move forward on the challenges as they relate to gas prices and energy policy.

I look forward to coming back and joining my colleagues once again for the Official Truth Squad, putting a little truth and positive perspective in front of the United States House of Representatives and the American people.

DEBT AND THE DEFICIT

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Under the Speaker's announced policy of January 4, 2005, the gentleman from Arkansas (Mr. ROSS) is recognized for 60 minutes as the designee of the minority leader.

Mr. ROSS. Mr. Speaker, I rise this evening as whip of the 37-member strong fiscally conservative Democratic Blue Dog Coalition. I rise this evening on behalf of the Blue Dogs, who are very concerned about this, our Nation's debt, which is $8,353,429,193,726 and some change. That means for every man, woman and child alive in America at this moment, it means their share of the national debt is $28,000. Many of America's priorities will continue to go unmet until we get our Nation's fiscal house in order.

I plan to spend a good part of this hour discussing the debt and the deficit, but I just heard some things from a group that calls themselves the Official Truth Squad. They had the nerve to come to the floor of the United States House of Representatives and say it is the Democrats that are responsible for $3-a-gallon gasoline at the gas pump. But the best one of all was when they blamed it on former President Clinton. Mr. Speaker, give me a break.

The American people know for the last 5 years and for the first time in 50 years, the Republicans control the White House, the House and the Senate. It is they who have failed to give us an energy policy that will allow us to become less dependent on foreign oil. They know that Democrats like myself have tried time and time again to reduce our dependence on foreign oil.

We have a bill in committee, in the Committee on Energy and Commerce, of which I am a member. We have a bill in the committee that mandates 10 percent ethanol in all gasoline and 5 percent biodiesel in all diesel fuel, and yet

the Republican leadership refuses to give us a hearing let alone a vote on this bill that will reduce our dependence on foreign oil. It will create new markets for America's farm families. It will mean that we pay 60 to 70 cents less per gallon at the pump; and yes, it will reduce our dependence on foreign oil.

When we talk about alternative and renewable fuels, don't let anyone tell you that is too futuristic. I am here to tell you if we can strap a four-wheeler on a rocket and shoot it to Mars and control it from NASA's headquarters in Houston, it is American people that did that, and in America we have people with the know-how to create alternative and renewable fuels; not only ethanol and biodiesel, but many other forms that will reduce our dependence on foreign oil.

It was last August, 8 months ago, last August that I went to all 29 counties in my congressional district and called on the President to suspend deliveries to the Strategic Petroleum Reserve, and I did this because I know it is a short-term solution, and it works. President Bush's daddy did it in 1991, and the price of a barrel of oil dropped $11 overnight. President Clinton did it in 2000, and the price of a barrel of oil dropped $6. My question is why did it take this President 8 months to decide to announce today something I called for him to do last August, and that is to suspend deliveries to the Strategic Petroleum Reserve?

It is 8 months too late, and that means we have lost a number of farm families that will not be back in the business of providing America with a safe and reliable source for food and fiber. If we are not careful, we are going to become just as dependent on foreign countries for our food and fiber as we have for our energy supplies.

So I am very concerned that tonight all we heard from the Republican side of the aisle and this so-called Truth Squad is that it is the Democrats and President Clinton that are responsible for the high prices of gasoline.

Let me say that the American people are sick and tired of the partisan bickering going on the floor of the House of Representatives. Mr. Speaker, it should not matter if it is a Democrat or Republican idea; it should only matter if it is a commonsense idea, and does it make sense for the people that send us here to be their voice.

I am going to continue to push for ethanol and biodiesel and other renewable and alternative fuels that will reduce our dependence on foreign oil and bring down the price we pay at the pump because, Mr. Speaker, I represent a very large and rural district where it is not uncommon to travel 50 and 100 miles each way each day to a job. Our working farm families can no longer afford the prices we are seeing at the gas pump.

Mr. Speaker, I am also proud that the President finally today suggested something that I put into a bill last September that the Republican leadership refused to give me a hearing or a vote on, and that is calling on the Federal Trade Commission to investigate the big oil companies to determine if what we have been seeing is in any way related to price gouging. I can tell you if it is, the big oil companies responsible for that, they should not be put in the jail, they ought to be put under the jail. Why did it take this President 8 months to heed my call for a Federal Trade Commission investigation and to heed my call to suspend deliveries to the Strategic Petroleum Reserve? I am sure it has something to do with his approval rating now reaching an all-time low of 32 percent.

Now, I wasn't here this evening to discuss energy, but I got a little fired up when the other side of the aisle decided they were going to say it was the Democrats and President Clinton who are responsible for $3-a-gallon gasoline at the pump.

I am joined this evening by a good friend and colleague within the Blue Dog Coalition to talk about the debt and the deficit. He is a real active member of the Blue Dog Coalition, the group of 37 fiscally conservative Democrats, Mr. DAVID SCOTT of Georgia.

Mr. SCOTT of Georgia. Mr. Speaker, it is a pleasure to be on the floor to set the record straight. I, too, heard what the Republicans were just saying. The American people are a lot of things, but they are not fools. They know that the President is a Republican. They know that the Senate is in the hands of the Republicans. They know that this House of Representatives is in the hands of the Republicans. The Republicans are leading the country.

When Democrats were leading this country, at least one of our Presidents, President Truman, said, the buck stops here. Not these. They say the buck stops with the Democrats when we are the minority party. There is not a bill we can get passed here because we are the minority party. It is wrong as wrong can be for the Republicans to point fingers and try to blame the Democrats for this huge increase in prices. This belongs where it ought to be: On the failed policies of the President.

Now, I like the President. I find the President to be a very fine person, and I hold him in great personal esteem, but I totally disagree with his policies. And the people of this country disagree with his policies.

Now let us talk about the truth. We have had the Truth Squad just speak, and I am sort of reminded of this story of a good friend of mine. Her name was Isabella. One day in New York City Isabella had a vision, and so she changed her name to Sojourner Truth. She went all over this country speaking, and everywhere she went, people would ask her about her funny name.

She would say, Let me tell you about my funny name. The Lord gave me ''Sojourner'' so I could travel the world showing the people and speaking to them. But I told the Lord I needed another name, and he gave me ''Truth'' so I could tell the truth to people.

Mr. ROSS, that is what the American people are expecting us to do tonight, to be sojourners of truth and to tell the truth. There is no more burning issue. Yes, we must talk about the deficit, but we have to talk about this gas price. We have to talk about the raising of it because it is what is on the hearts and minds and souls of the American people. They are fed up to here with these huge, gigantic gas spikes and gas prices.

□ 2145

Many people can't even make it. I was just out in my district in Douglas County down on Dorsett Shoals Road this past Sunday. And one of my constituents, a little lady, came out and said, Congressman, please do something about these gas prices. Where is our country headed? Where are we going? Please do something about securing our borders. Where is our country going? I am here to tell you, Mr. ROSS, the American people are very, very concerned about the lack of direction and going in the wrong direction that this country is headed in. Nowhere is it more startling than in these gas prices.

Now, let me bring this to your attention, Mr. ROSS, because this really gets to me. And I want to talk about this for a moment. In this article, I think it was from one of the media, the New York Times or Washington Post. I don't have it correct. But they began to talk about something that brings home the point.

Now, let me preface this by saying, I am a capitalist. I was trained at the best school of business in the world, the citadel of capitalism, the Wharton School of Finance where I got my MBA. Served on the board of directors there for 6 years. So I am a capitalist. I believe in the profit motive. I understand all of that.

But listen to this that we hear about the CEO at Exxon-Mobil. For his efforts, Mr. Lee Raymond, who retired in December, was compensated more than $686 million from 1993 to 2005, according to an analysis done for the New York Times by Brian Foley, an independent compensation consultant. That amounts to $144,573, every day.

Now, I am for profit. But there is a difference between profit and greed, and that is what is upsetting the American people. At a time when we have diminishing oil resources, at a time that the fuel prices are skyrocketing, these oil companies are making huge profits.

Now, all I say is this: Don't we owe it to the American people to ask these executives from these oil companies to come before Congress and explain this to us?

The American people are asking questions. I know your constituents are asking questions: How can it be? And not only that, if we move over to Chairman Ray Irani of Occidental Petroleum, He received $63 million in

total compensation just last year. And over the past 3 years, Irani has reaped more than $135 million.

I am not kicking anybody for making money. This is a free enterprise system. It is a capitalistic system. But we are not dealing with peanuts. We are not dealing with renewable stuff. We are dealing with a life and death, very valuable diminishing resource called oil that we are dependent on, not just for us to make our economy go. It also is the juice that enables us to fight our wars, protect this country. There is a lot at stake with this.

Meanwhile, we want the truth. Here are the facts: the price of gas, while all of these profits are going on, the price of gas has doubled. Profits for big oil and gas companies have quadrupled at the time that gas prices have zoomed up, while American families' incomes have been stagnated.

Many small independent gas stations are reporting that they are being gouged by big oil companies. Now, if they are saying that, shouldn't we investigate? Shouldn't we take a look? That is all that I am saying. I am saying we need to bring the oil industry individuals in and get them under oath to provide us with some answers.

No, this is not a Democrat or Republican situation. It is all of our situation. But I tell you, when they are in charge, it is wrong to blame us.

Mr. ROSS. I appreciate the gentleman from Georgia and his thoughts on this energy crisis. And he is right, these oil company executives, I would invite them to come to my district and look into the eyes of farm families that are no longer in business, working families who are having to make difficult decisions about how to spend their money because of the high price of gasoline just to get to and from work.

And yet this administration, this Republican-led Congress continue to tell us that life is getting better. It is getting better for whom? Gasoline prices are up 80 percent. Health care costs are up 50 percent. College costs are up 40 percent, and incomes are down in this country. That concerns me. And as one of the 37 members of the fiscally conservative Blue Dog Coalition, we understand that all of this is directly related to this, the national debt, which is now $8,053,429,193,726 and some change, which equates to every man, woman and child in America, including the children being born today, their share is $28,000. We call that the debt tax, D-E-B-T. And that is one tax that cannot go away until our Nation gets its fiscal house in order. A lot of people think the deficit doesn't matter, that the debt doesn't matter, that we can simply print more money. That doesn't happen. It doesn't work that way.

Unfortunately, here's how it works. We are borrowing money from the Social Security trust fund, which I am adamantly against. Now, I understand, the first bill I filed as a Member of Congress was a bill to tell the politicians in Washington to keep their hands off the Social Security trust fund. Now, I understand why the Republican leadership refused to give me a hearing or a vote on that bill, because the projected deficit for fiscal year 2007 is $348 billion. That is the number you will hear a lot. But the reality is that it is $548 billion. The difference is they are taking the money from the Social Security trust fund with absolutely no provision on how or when that money is going to be paid back.

Now, when I go to the bank to get a loan, my banker asks me how I am going to pay it back, where's the money going to come from to pay it back, and when am I going to pay it back. Our government should be no different. The politicians in Washington should keep their hands off the Social Security trust fund. But, instead, this is what we get.

Forty-five percent of the debt is being borrowed from foreign central banks and foreign investors. Forty-five percent of the deficit is coming from foreigners. In fact, this administration, in the last 6 years, has borrowed more money from foreign central banks and foreign investors in places like China and Japan and South Korea than the previous 42 Presidents combined. And if we are not careful, if we are not careful, those foreigners are going to influence and have an impact and have control of our Nation's monetary policy. And we already see what is happening with interest rates.

Ms. JACKSON-LEE of Texas. Will the gentleman yield?

Mr. ROSS. I will yield, yes, ma'am.

Ms. JACKSON-LEE of Texas. Let me just congratulate the Blue Dog Coalition. I have listened to this very articulate explanation, if you will, of the national debt; and I want to congratulate the gentleman from Georgia and the gentleman from Arkansas and the distinguished gentleman from Tennessee.

I just want to thank you for acknowledging or at least bringing to the attention of the American people the impact of the deficit. Just a reminder that when the Clinton administration left office there was a surplus. And so this issue of the national debt and deficit is crucial.

And I would just simply leave with this thought: I also heard you talk about the gasoline prices and, obviously, there is an enormous range of issues that we need to discuss with that, the ethanol issue and, of course, the strategic petroleum reserve.

But let us remember that the people who are most harmed by where we are today, the deficit and gasoline prices, are hardworking, struggling American families. These are people who get up every day, turn the lights on early and get in their cars to make ends meet. And, frankly, even though the President has offered some suggestions today as it relates to gasoline pricing, I don't think this House should rest a moment until we address this question.

Many people will say, I represent the energy company so I am not here to suggest that there is a single answer. But I think the energy company should come to the table, I think the President needs to have the bully pulpit, if you will, and some relief needs to go directly to mom and pop senior citizen at the gas pump. And I hope, as you continue your discussion this evening, that Americans will understand that Democrats are prepared to fix this horrible debt to protect the Social Security trust fund which is a very important issue, but also respond to the struggling Americans or the needs of fixed-income persons when it comes to this crisis in gasoline pricing. It is not tomorrow, next week; it is now. This Congress needs to stand up and address this question, and they need to do it now. And I thank the gentleman for yielding. I thank the distinguished gentleman from Georgia.

Mr. SCOTT of Georgia. The gentlewoman from Texas brings up a very interesting point in terms of our energy crisis and how it dovetails with our debt, one of the important points we have got to look at so we can see the dangerous track we are on. Mr. ROSS, you just went through one of the most disturbing facts of our debt and that is the indebtedness that we are in to our foreign investors, borrowing more money from them than all the 42 Presidents combined. But let us look at who they are. Let us look at who they are who are controlling our financial security. They are the very same nations that are controlling our energy security. China and India, on the one hand, Japan, the OPEC countries, the countries in the Middle East, on the other hand. Each of these areas are controlling our debt, and they are controlling our oil.

The United States of America consumes 25 percent of the world's energy. But we produce or have access to just the refining and production capacity of just 5 percent. Put that together with the fact that one thing nobody mentions, not the President, not anybody, but it needs to be mentioned, and that is that why should we be taking this time to plan the future of this great country on a diminishing resource?

Every point, and I bring this to you again, this is a quote from a president, former president of Exxon-Mobil. I talked about the other's salary a minute ago to show the discrepancy. Here's what, 3 years ago, John Thompson, president of Exxon-Mobil said. He said, we estimate that the world's oil production from existing oil fields is declining at an average rate of 6 percent a year. To meet projected demand in 2015, the industry will have to add about 100 million barrels a day in new production. That is equal to 80 percent more than we are producing today, and oil is not a replenishing asset.

That brings me to the issue of where we really need to be planning for the future of this country is not on a diminishing resource of oil that is not

going to be there in the future. We have got to look elsewhere. And I tell you this, Mr. ROSS: if Brazil can take sugar cane and solve their energy crisis and turn it into fuel for their automobiles with ethanol, why in the world can't we do that in America with our corn or with our other biofuel capacities, with our research? We have got the American can-do spirit. The problem is we need to unleash it, and we have got to do it, not depending upon oil that is a diminishing resource, but have the vision, have the courage to look to the future.

And I tell you, surely, if Brazil can solve their problem with using one of their natural replenishable resources of sugar cane to provide their major source of fuel, surely we can do as well as that. And we must do that.

Mr. ROSS. The gentleman is absolutely correct, and the fact that our Nation is $8.3 trillion in debt has a direct impact on all of America's priorities, many of which are going unmet today because of this enormous debt. I mean, it is $8.2 trillion, but it is growing by nearly $1 billion a day. We are sending $279 million a day to Iraq, $57 million a day to Afghanistan. This President, in this year's budget, proposes cuts to things like education and student loans to the tune of $2 billion. And yet the same budget, the same budget includes over $200 billion in new tax cuts for those that are primarily earning over $400,000 a year. It is about priorities, and priorities should begin with bringing down the high price of gasoline and diesel fuel; and priorities should begin with reducing our dependence not only on foreign oil but on foreign central banks and foreign investors to fund our government.

□ 2200

The U.S. is becoming increasingly dependent on foreign lenders. Foreign lenders currently hold a total of about $2.174 trillion of our public debt. Compare this to only $23 billion in foreign holdings in 1993.

The top 10 current lenders, countries that this President and this Republican Congress continue to pass tax cuts with money that they are borrowing from these countries: Japan, $668.3 billion. China, you can see here in 2000, and these are based on numbers from the United States Treasury and the United States Census Bureau, the public debt held by China quadruples under President Bush by billions of dollars. In 2000, when the President took office, our government had borrowed $62 billion from China, and in less than 6 years this chart shows that we have now borrowed $257 billion from China. This was printed on February 23, 2006. We cannot get them printed and updated quickly enough because the new number is $262.6 billion. United Kingdom, $244.8 billion. Our Nation has borrowed $97.9 billion from the Caribbean Banking Center. I had never heard of such. Taiwan, $71.6 billion. OPEC nations, $77.6 billion that we have borrowed from them. With the excessive price we pay at the pump, they are getting the profits. They are getting so much in profits on our backs that they are then turning around and lending our Nation money so that these Republicans in Congress can keep borrowing money from OPEC to give their rich buddies a tax cut.

And I would submit to you if you earn over $400,000 a year, you ought to be for this. If you earn less than $400,000 a year, this is not a good deal for you, and it is certainly not fair to your children, who have got to pay this back someday.

Korea, $68.3 billion. Germany, $65.2 billion. Canada, $54.9 billion. And to round out the top 10 list of countries that our Nation has borrowed money from to fund tax cuts, Hong Kong, $48.3 billion.

Mr. SCOTT of Georgia. The American people are fed up with this, I assure you.

Mr. ROSS. The gentleman is so right. The gentleman is so correct on that.

In a moment we are going to be hearing from the cochair for policy for the 37-member-strong fiscally conservative Blue Dog Coalition, and it is interesting what the gentleman from Tennessee is about to present to us. This is a little known report.

And before we get into this, let me just let you know, Mr. Speaker, that every Tuesday night, as members of the Blue Dog Coalition, a group of 37 fiscally conservative Democrats, we come to the floor of the United States House of Representatives to talk about the budget, the debt, the deficit, and how this directly impacts America's priorities. And, Mr. Speaker, if you have any questions, comments, or concerns of us, I would encourage you to e-mail us at BlueDogs@mail.house.gov. Again, Mr. Speaker, I would encourage you to e-mail us your thoughts, concerns, or questions to BlueDogs@mail.house.gov.

Very few people in our Nation, in fact, very few people in this Congress, know about this little known report. It is called the Financial Report of the United States Government, and this is the 2005 edition. Very few copies of this report are printed. Very few copies are circulated.

Contrast that, Mr. Speaker, to this: This is the budget of the United States Government. It is delivered with a lot of fanfare to every Member of Congress's office. You always read about it and see it in the newspaper, radio, and television. You hear about it and see it, and this is the budget for fiscal year 2007. The budget of the United States Government, you get an idea of how thick it is. It is a big document, and it is delivered each year to all 435 Members with a lot of fanfare.

This document, however, is delivered only to a handful of people, and it is only delivered to them because the law requires it, but it is a financial report of the United States Government. And here is what is interesting about this report: When we tell you that the deficit for 2005 was $319 billion, that is based on cash-basis accounting. Now, the Financial Report of America, and I believe it was Senator John Glenn that introduced the legislation, Congress requires the Secretary of the Treasury to issue this Financial Report of America using accrual-based accounting. It is this Congress through various laws that require every business in America with revenues over $5 million to use accrual-based accounting. They get in a lot of trouble with the IRS if they do not, and yet our government does not use the accrual accounting method, and our government certainly is bigger than $5 million in revenue every year. Our government uses cash-based accounting. And based on cash-based accounting, the deficit for 2005 was $319 billion.

Maybe the reason this is not widely distributed and not very well known is because when the Financial Report of America issued by President Bush's Secretary of the Treasury, as required by law, uses an accrual-based accounting method, this little document reveals that the true deficit for 2005 was not $319 billion. It was $760 billion. Lord knows we are not trying to make it sound any worse than it already is because at $319 billion it is one of the largest deficits ever in our Nation's history. It is hard now to believe that we had a balanced budget in this country from 1998 to 2000, but we did. And yet under this administration and this Republican-led Congress, we have got the largest budget deficit ever in our Nation's history for 6 years in a row, and that is based on the cash-based accounting method. And when you look at the accrual accounting method, it is much worse.

Mr. Speaker, at this time I yield to the gentleman from Tennessee, the cochair for policy for the 37-member-strong, fiscally conservative Democratic Blue Dog Coalition, Mr. Jim Cooper, who discovered this document. And I yield to him to better explain it to all of us.

Mr. COOPER. Mr. Speaker, I thank my good friend from Arkansas for yielding and my friend from Georgia for his remarks.

If the gentleman from Arkansas would not mind, I might take that podium because of the easel next to it, because I brought a chart with me tonight.

Mr. ROSS. Please do.

Mr. COOPER. I appreciated the gentleman's remarks because he was exactly on track. There are two basic methods of accounting. One is simple, it is based on the cash basis. That means when you pay for something, you have to acknowledge it on the books.

We all know that we live in a credit card economy, and it is easy to buy things with plastic, and you know that when you sign that little piece of paper after you put down your credit card, you have effectively bought it even

though you have not paid the bill yet. You might not pay the bill until the end of the month or the end of the year, but it is important to acknowledge the fact that you have bought it when you put down the plastic.

That is essentially what the accounting method that my colleague from Arkansas was describing does. It is called accrual accounting, A-C-C-R-U-A-L. Now, it has nothing to do with the word ''cruel.'' It is not a mean form of accounting. In fact, it is probably the kindest form of accounting because it remembers our elderly, it remembers our sick, and our disabled not just when their bills are due, but when their needs arise. And that is when we should pay attention to our seniors, our sick, and our disabled.

I brought with me a chart tonight that asks a very simple question. Here we are in the Congress of the United States. This is the greatest country in the history of the world. You would think that in a recent year we would be able to tell you, Mr. Speaker, and tell the American taxpayer how big our deficit was. Well, there are different ways of measuring it, and let me list the ways for you tonight.

One is the way that my colleague mentioned, the U.S. budget that the President talks about so much. I am going to have breakfast at the White House in the morning with the new OMB Director, Rob Portman, a former colleague of ours, and I am going to be discussing this with him in the morning. It will be interesting to see what his reaction is. Under the OMB approach of cash accounting, the deficit last year was $319 billion. That was the third highest figure in U.S. history. It is about 2.6 percent of GDP. So it is huge and worrisome. They claim it is shrinking, but let me show you these other deficit measures again for the same year, 2005. If you do not allow us to borrow money from Social Security, the gross borrowing for the U.S. that year was $494 billion. So in a sense our true deficit in 2005 was not $319 billion. It was $494 billion, because I do not know anybody back home who supports our borrowing from Social Security in order to reduce the appearance of the size of the deficit.

But here is the number that my colleague from Arkansas mentioned as well: This is using real accounting, accrual accounting, like all businesses of any size in America have to use by law. If you apply that to the U.S. Government, you get a shocking result. The budget deficit jumps $441 billion to $760 billion using modern accounting. And guess what. This deficit is not shrinking, as OMB claims. This one seems to be growing rapidly. And that number equals almost all domestic discretionary spending in America, defense and nondefense. That is a huge number. That is a deficit as large as basically all the money that Congress has any say over during the year because the rest of it is in entitlement programs and the interest on the national debt.

As bad as that is, look at these other numbers. These are truly scary numbers because if you believe, as I do, that Social Security is the most solemn obligation in the United States, you cannot ignore Social Security. And as good as this document is using modern accounting, it basically ignores Social Security because it has got a little paragraph in here on page 12 that says in the section ''Other Responsibilities,'' oh, by the way, the Social Security unfunded liability situation is trillions of dollars. Well, that needs to be accounted for in the annual budget deficit, and if you account for it in the annual budget deficit, it means that the budget deficit in the year 2005 was basically $1.7 trillion, many times larger than the figure the administration releases.

But guess what. Not only is Social Security a sacred obligation of our Nation, so are other programs like Medicare. Medicare takes care of our elderly and our disabled, and it, too, is a solemn obligation of our Nation. But it, too, is ignored in this document, ignored in the annual deficit figure. If you factor that in, the true deficit for the year 2005 was not $319 billion, was not $494 billion, was not $760 billion, was not $1.7 trillion. It was $2.747 trillion, or $2,747 billion. That is a number so large, it is almost impossible to imagine. It is literally as large as the entire Federal budget itself.

So if you want to measure the budget deficit accurately, I think you have to acknowledge there is not just one measure. There is the old-fashioned cash measure, which can be used, but is unrepresentative of our true obligations under credit card accounting and under the needs that we have with Social Security and Medicare. If you used a more modern accounting, suddenly the deficit looks a lot larger. In fact, if you include Social Security and Medicare, the deficit is, in fact, larger than most citizens can imagine.

Very few people know this. It will be interesting tomorrow morning at breakfast to see whether the new Director of OMB knows this because these numbers are so large, they literally represent a crisis for our Nation. It is a crisis not only for this generation, but for future generations, because what a deficit means is it is borrowing money, oftentimes, as my colleague from Arkansas said, from foreign nations, and these folks expect to be repaid with interest. And that puts a terrific debt burden, D-E-B-T, on the backs of our kids and grandkids as they struggle to pay the interest costs. Pretty soon interest alone will take up almost $400 billion or $500 billion a year of American productive capacity. That is a shame because that money could be invested in roads and schools and future productive opportunities for our young people. Instead it will be paid in interest to foreign central bankers. It is the only tax that can never be repealed.

□ 2215

It is a tax that will not go away until we once again return to the days of budget surpluses, when we can pay down that debt. But we are a long way from home right now, because the Nation is on the wrong track. We are headed in the wrong direction, and we need to acknowledge these truthful deficit measures so we can better understand our current plight.

It is important that the American people be informed of all the facts, not only the President's budget, but also the financial report of the United States Government which was issued by his own Department of Treasury, but which they printed so few copies of that they literally don't want you to see it.

So I would like to yield back my time to my colleagues from Georgia and from Arkansas. I appreciate your holding these issues up for the American people so the entire Nation can be involved in the debate. It is very important, Mr. Speaker, that all the American people see what is really going on in our great country, because our responsibility in this generation is to keep our country great.

Mr. SCOTT of Georgia. Mr. Speaker, one of the points, just to add to what you are saying to show the real gravity of this situation, is this: Just the interest, just the interest alone that we are paying back on this, is the fastest growing part of our budget. Just the interest. Combined, that interest amounts to more than all of what we are spending for veterans, for education and for our own homeland security. The interest just is overwhelming.

Now, I want to make a point, because you brought it home, and as you were explaining that, the gentleman from Tennessee, I was reminded of a little history lesson here. If you would look back through history at all of the great civilizations, great nations, from the Roman Empire to the British Empire to the Ottoman Empire, they all collapsed from three important things: Global overreach, diminishing resources at home and an overwhelming, irresponsible debt in the hands of foreigners.

We are on the verge of handing our country over to foreigners, in our fiscal area, in our petroleum area and because of a lack of security on our borders.

I tell you, Mr. ROSS, the American people are dialed in on this. They are concerned about this and they want some leadership. They want vision. They want our borders secure. They want America to be America.

Why can't we be independent in our resources, if we can make fuel to run our automobiles from corn? We know we can. Do you know why? Because the very first automobile manufactured by Henry Ford, the Model T, you know what it was fueled by? Ethanol made from corn. What more evidence do we need?

Mr. ROSS. I would say to the gentleman from Georgia, I could not agree

with you more. The point we are making I believe this evening, I hope this evening, is as long as we have got this massive debt, which is costing us half a billion dollars a day in interest payments alone, as long as we continue to borrow $1 billion a day, increasing the $8.3 trillion debt by $1 billion a day, then America's priorities will continue to go unmet.

We talk about investing in alternative and renewable fuels. The Potlatch Corporation with their plant in Cypress Bend, Arkansas, in my congressional district, has been recognized for their efforts in publications including the Wall Street Journal, I believe.

They have a plan. They have the ability to take the wood, if you will, the timber, if you will, that is left in the woods that is not used in a manufacturing process, combine that with what is left on the sawmill floor, and they can power at least five towns the size of my hometown of Preston, Arkansas. To invest in that kind of equipment and technology and to make the thing economically feasible, it is going to have to be mass produced on a large scale, so they are in search of money to go forward.

In the energy bill there is money to invest in these types of alternative and renewable fuels, but because of the massive debt there is only $150 million. Don't get me wrong, $150 million is a lot of money to a country boy from Prescott, Arkansas. But my point is this: To be able to reduce our dependence on foreign oil and to make our Nation more energy self-sufficient, to get this project off the ground to where it can be mass produced, they need $100 million. There is $150 million for similar type projects for all of America. They need $100 million of it.

My point is we are not investing nearly enough in alternative and renewable fuels. $150 million is a lot of money, but our Nation is spending three times that, $500 million every day simply paying interest on the national debt, when we could be investing in alternative and renewable fuels to bring down the high energy bills that are having a negative effect, a horrible impact on America's working families, America's seniors and America's farm families.

Just look at what interest payments on the debt are doing. The red on this chart is the net interest that is being paid in billions of dollars. The blue is how much we spend on education. Yes, we will spend more money paying interest on the national debt in about 100 days than we will spend on education in 365. Homeland security is the green bar. Veterans. I might remind you, we have got a whole new generation of veterans coming home from Iraq and Afghanistan, including my brother-in-law, who is in the United States Air Force, and my first cousin, who is in the United States Army.

So look where our priorities lay in this country. Until we can get our Nation's fiscal house in order, this Republican Congress is going to continue to spend half a billion dollars a day paying interest on the national debt, while education and homeland security, keeping America safe and our veterans, will continue to get the short end of the stick.

I yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. Mr. Speaker, it is a double-ended stick too, because we must understand what this means in terms of the President will say, well, we are borrowing this money, we are making these budget cuts for tax cuts, so we can give tax cuts to the top 10 percent of this country, when they are not tax cuts. America needs to understand, they are not tax cuts. They are deferred tax increases, deferred tax increases, because somebody has got to pay for that.

It is not fair. I have got two lovely little grandchildren. I love them to death. I have got two children. That debt is going to be on them. That is not fair. It is not fair to do that.

Now I need to talk about one other thing so that we will know clearly, as you spoke on renewable energy programs and as we talk about this budget, the budget that again we will hopefully not have the votes for again. But let's talk about it, because you have got to look at the President's actions and the Republican administration's actions.

Like I said earlier when we first started out, you can't blame the Democrats. We are not in charge. I hope that the American people will give us that opportunity this November to be in charge. Then we will be responsible.

But I guarantee you one thing; we won't point the finger at the Republicans. We will say, as Harry Truman said, ''The buck stops here.'' We will say, as John Fitzgerald Kennedy said, ''Ask not what your country can do for you; ask what you can do for your country.'' We will do what Franklin Delano Roosevelt said, ''The only thing we have to fear is fear itself.''

That is what the American people are waiting for. They are waiting to be challenged. They are waiting to be inspired. We don't need our country run by the Middle East, by Iran, Iraq or Saudi Arabia. We don't need it run by China or India. That is not what made America great. America became great because of our own inventiveness. We can become energy independent. All we have to do is unleash the mighty, free enterprise spirit within America.

If we know that oil is a diminishing resource, it is foolish for us to plan the future of this great Nation on a ready supply of oil, when we know it is running out. We have proven that. We have got to be bold. We must have vision. We must understand, and we must not be like those other previous civilizations on whose bleached bones are written those pathetic words, ''too late.'' Rome moved too late, the Ottoman Empire moved too late, the Dutch Netherlands moved too late and even Great Britain moved too late.

Will we move too late, Mr. ROSS? I don't think so, because there is too much can-do spirit in this country. That is what made America what it is, and that is what is going to take us forward. We have the leadership, we have the will, we have the vision, and we can be what the American people want us to be.

Mr. ROSS. The gentleman from Georgia is correct in talking about not only do we understand what the problem is, record debt, record deficits, but we also have a solution to the problem.

As members of the fiscally conservative Democratic Blue Dog Coalition, all 37 of us, we have a 12-point plan for meaningful budget reform. These are not rocket science ideas; they are common sense ideas.

One of them is promoting accountability within our government. I have talked about this before, and I am going to continue to talk about it, because I continue to have these manufactured homes located in my congressional district.

FEMA has this so-called FEMA staging area at the Hope Airport in Hope, Arkansas, and the idea was that manufactured homes, 14 and 16 foot wide, 60 foot long, and they are fully furnished, they would come and go. Hope is 450 miles from the eye of Hurricane Katrina.

Well, they all came, and none of them ever went. As a result, at one time we had 10,477 brand new, fully-furnished manufactured homes sitting at the airport in Hope, Arkansas. They were going to use these old World War II era runways, taxiways and tarmacs, and you can see that is what they did with some of them. Then they started to have to use pasture land.

Here is a better shot. When I say pasture land or hay meadow, you get the idea what I am talking about. Here are these mobile homes sitting there on the grass.

So when I started getting on them and raising this issue back in December, I thought FEMA would get these homes to the people who lost their home and everything they owned in places like Mississippi and Louisiana. But instead, FEMA's response to this is they are now spending $4.3 million laying gravel on this pasture to keep the manufactured homes from sinking, instead of getting the homes to the people that need them.

They claim they won't locate them in Louisiana and Mississippi in flood plains. Why didn't FEMA think about that before they went out and spent nearly $1 billion on these mobile homes? FEMA says it is okay to put tents in flood plains, it is okay to put almost 80 million camper trailers in flood plains, but, no, not mobile homes, not even temporarily for 18 months. So people continue to live in hotel rooms, they continue to live in tents, they continue to live in campers across Louisiana and Mississippi.

You would have thought that FEMA would have figured this thing out since

last August when Hurricane Katrina hit. Unfortunately, we had a horrible tornado come through Arkansas and Tennessee, numerous tornadoes, I might add, which literally destroyed the community of Marmaduke, Arkansas. It took a number of Congressmen, a number of Senators, a Governor and I don't know who all else two weeks to get FEMA to move 25 of these 10,477 mobile homes from Hope, Arkansas, to Marmaduke, Arkansas.

We come to find out they have simply moved them to a so-called FEMA staging area at Marmaduke, and are telling those homeless it might take 30 days to process their paperwork to see if they can get one of these homes.

This is a symbol of what is wrong with this administration, this Republican Congress and their Federal Emergency Management Agency. I will continue to raise this issue and continue to give you an update, Mr. Speaker, as long as we have got a single home sitting at the airport at Hope, Arkansas, while people remain homeless from these horrible natural disasters.

In fact, Mr. Speaker, the current update as I understand it is we now as of tonight have 10,112 manufactured homes sitting there at the airport in Hope, Arkansas. This is an example of the lack of accountability within our government, the kind of accountability that we need if we are going to get our Nation's fiscal house in order.

Mr. SCOTT of Georgia. Mr. ROSS, you cannot help but feel compassion for the American people. They deserve much better than this, with Katrina, the natural disasters that are happening and the lack of response of FEMA. You talk about FEMA. I had a similar problem in my own district, where we had literally thousands of trailers sitting right there on the campus of Ft. Gillem.

□ 2230

Weeks, weeks, weeks went by, not going down into the Louisiana area. Lack of coordination, lack of proper direction.

The American people deserve much better than this, and we are going to give them much better. We have got to change the direction of this country. It is implicit in the debt that we are having. It is implicit in the response and the concerns with the rising gas prices. It is implicit in what is happening with the depletion of our military and our armed services, in the service of Iraq and Afghanistan. It is implicit in the situation with the Dubai Ports deal, even to think that they would turn over the security of this country to a company owned by a country who was only one of three countries to recognize the Taliban as the authority, ruler, in Afghanistan, while we have got our young men and women dying and fighting the Taliban. A tremendous disconnect.

And it is obvious it is there. As I said at the outset, we are here to be sojourners of truth. And we are sojourners of truth here tonight.

Mr. ROSS. I thank the gentleman from Georgia, the gentleman from Tennessee for joining me this evening as we discuss this huge issue, this debt, and deficit facing our country, as we do every Tuesday night.

We began the hour with a debt, $8,353,429,193,726 and some change. Just in the last hour since we have been discussing the debt and the deficit and what it means to America and how America's priorities are not getting funded because of it, how our veterans are not being taken care of, our school children are not being taken care of, our Nation is not nearly as safe as it should be because of America's priorities cannot be met as long as we do not have our fiscal house in order.

But during this hour that we have stood here talking about this, this administration, this Republican Congress has increased the national debt to the tune of about $41 million. In fact, this is no longer the national debt. The debt now is $8,353,470,859,833. Just in the hour we have been here, our national debt increased by more than $41 million.

It now stands at $8,353,470,859,833 and some change. It is time for this Nation to get its fiscal house in order. Forty-nine States are required to have a balanced budget. As members of the fiscally conservative Democratic Blue Dog Coalition, we believe our Nation should have a balanced budget. Small businesses are required to have a balanced budget. And America's working families and seniors and farm families are required to have a balanced budget.

It is time for America to have a balanced budget. Madam Speaker, as members of the 37 Member strong, fiscally conservative Democratic Blue Dog Coalition, we will continue this dialogue and this debate on the House floor every Tuesday night until we have an administration and a Congress that will get our Nation's fiscal house in order.

With that, Madam Speaker, if you have any questions for us, in the time remaining, I would encourage you, Madam Speaker, if you have questions or comments or concerns, I would encourage you, Madam Speaker, to e-mail us at bluedog@mail.house.gov. That is bluedog@mail.house.gov.

GOLD AND THE U.S. DOLLAR

The SPEAKER pro tempore (Ms. FOXX). Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. PAUL) is recognized for half the remaining time until midnight.

Mr. PAUL. Madam Speaker, the financial press and even the network news shows have begun reporting the price of gold regularly.

For 20 years, between 1980 and 2000, the price of gold was rarely mentioned. There was little interest, and the price was either falling or remaining steady. Since 2001, however, interest in gold has soared along with its price.

With the price now over $600 an ounce, a lot more people are becoming interested in gold as an investment and an economic indicator. Much can be learned by understanding what the rising dollar price of gold means.

The rise in gold prices, from $250 per ounce in 2001 to over $600 today has drawn investors and speculators into precious metals markets. Though many already have made handsome profits, buying gold, per se, should not be touted as a good investment. After all, gold earns no interest, and its quality never changes. It is static and does not grow as sound investments should.

It is more accurate to say that one might invest in a gold or silver mining company, where management, labor costs, and the nature of new discoveries all play a vital role in determining the quality of the investment and the profits made.

Buying gold and holding it is somewhat analogous to converting one's saving into $100 bills and hiding them under the mattress, yet not exactly the same. Both gold and dollars are considered money, and holding money does not qualify as an investment. There is a big difference between the two, however, since by holding paper money, one loses purchasing power. The purchasing power of commodity money, that is gold, however, goes up if the government devalues the circulating paper currency.

Holding gold is protection or insurance against government's proclivity to debase the currency. The purchasing power of gold goes up not because it is a so-called good investment. It goes up in value only because the paper currency goes down in value. In our current situation, that means the dollar.

One of the characteristics of commodity money, one that originated naturally in the marketplace, is that it must serve as a store of value. Gold and silver meet the test; paper does not. Because of this profound difference, the incentive and wisdom of holding emergency funds in the form of gold becomes attractive when the official currency is being devalued. It is more attractive than trying to save wealth in the form of a fiat currency, even when earning some nominal interest.

The lack of earned interest on gold is not a problem once people realize the purchasing power of their currency is declining faster than the interest rates they might earn. The purchasing power of gold can rise even faster than increases in the cost of living.

The point is that most who buy gold do so to protect against the depreciating currency, rather than as an investment in the classical sense. Americans understand this less than citizens of other countries. Some nations have suffered from severe monetary inflation that literally led to the destruction of their national currency.

Though our inflation, that is the depreciation of the U.S. dollar, has been insidious, average Americans are unaware of how this occurs. For instance,

few Americans know nor seem concerned that the 1913 pre-Federal Reserve dollar is now worth only 4 cents. Officially, our central bankers and our politicians express no fear that the course on which we are set is fraught with great danger to our economy and to our political system.

The belief that money created out of thin air can work economic miracles if only properly managed is pervasive in the District of Columbia. In many ways, we should not be surprised about this trust in such an unsound system. For at least four generations our government-run universities have systematically preached a monetary doctrine justifying the so-called wisdom of paper money over the foolishness of sound money.

Not only that, paper money has worked surprisingly well in the past 35 years, the years the world has accepted pure paper money as currency. Alan Greenspan bragged that central bankers in these decades have gained the knowledge necessary to make paper money respond as if it were gold.

This, they argue, removes the problem of obtaining gold to back the currency and hence frees the politician from the rigid discipline a gold standard imposes. Many central bankers in the last 15 years became so confident they had achieved this milestone that they sold off large hordes of their gold reserves. At other times they tried to prove that paper works better than gold by artificially propping up the dollar by suppressing the market price of gold.

This recent deception failed just as it did in the 1960s when our government tried to hold gold artificially low at $35 an ounce. But since they could not truly repeal the economic laws regarding money, just as many central bankers sold, others bought. It is fascinating that the European central banks sold gold while the Asian central banks bought it over the last several years.

Since gold has proven to be the real money of the ages, we see once again a shift in wealth from the West to the East, just as we saw a loss of our industrial base in the same direction.

Though Treasury officials deny any U.S. sales or loans of our official gold holdings, no audits are permitted, so no one can be certain. The special nature of the dollar as the reserve currency of the world has allowed this gain to last longer than it would have otherwise.

But the fact that gold has gone from $250 an ounce to over $600 an ounce means there is concern about the future of the dollar. The higher the price of gold the greater the concern for the dollar. But instead of dwelling on the dollar price of gold, we should be talking about the depreciation of the dollar.

In 1934, a dollar was worth one-twentieth of an ounce of gold. $20 to buy one ounce. Today a dollar is worth one-six-hundredth of an ounce, meaning it takes $600 to buy one once of gold.

The number of dollars created by the Federal Reserve and through the fractional reserve banking system is crucial in determining how the market assesses the relationship of the dollar and gold.

Though there is a strong correlation, it is not instantaneous or perfectly predictable. There are many variables to consider. But in the long term, the dollar price of gold represents past inflation of the money supply. Equally important, it represents the anticipation of how much new money will be created in the future.

This introduces the factor of trust and confidence in our monetary authorities and our politicians, and these days the American people are casting a vote of no confidence in this regard and for good reasons.

The incentive for central bankers to create new money out of thin air is two-fold. One is to practice central planning through the manipulation of interest rates. The second is to monetize the escalated Federal debt politicians create and thrive on.

Today, no one in Washington believes for a minute that runaway deficits are going to be curtailed. In March alone, the Federal Government created a historic $85 billion deficit. The current supplemental bill going through Congress has grown from $92 billion to over $106 billion, and everyone knows it will not draw President Bush's first veto.

Most knowledgeable people therefore assume that inflation of the money supply is not only going to continue, but accelerate. This anticipation, plus the fact that many new dollars have been created over the past 15 years that have not yet been fully discounted, guarantees the future depreciation of the dollar in terms of gold.

□ 2245

There is no single measurement that reveals what the Fed has done in the recent past or tells us exactly what it is about to do in the future. Forget about the lip service given to transparency by the new Fed Chairman Bernanke. Not only is this administration one of the most secretive across the board in our history, the current Fed firmly supports denying the most important measurement of current monetary policy to Congress, the financial community and the American public.

Because of a lack of interest and poor understanding of monetary policy, Congress has expressed essentially no concern about the significant change in reporting statistics on the money supply. Beginning in March, though planned before Bernanke arrived at the Fed, the central bank discontinued compiling and reporting monetary aggregates known as M3. M3 is the best description of how quickly the Fed is creating new money and credit. Common sense tells us that a government central bank creating new money out of thin air depreciates the value of each dollar in circulation. Yet this report is no longer available to us, and Congress makes no demands to receive it.

Though M3 is the most helpful statistic to track Fed activity, it by no means tells us everything we need to know about trends in monetary policy. Total bank credit, still available to us, gives us indirect information reflecting the Fed's inflationary policies. But ultimately the markets will figure out exactly what the Fed is up to, and then individuals, financial institutions, governments and other central bankers will act accordingly.

The fact that our money supply is rising significantly cannot be hidden from the markets. The response in time will drive the dollar down while driving interest rates and commodity prices up.

Already we see this trend developing, which surely will accelerate in the not-too-distant future. Part of this reaction will be from those who seek a haven to protect their wealth, not invest, by treating gold and silver as universal and historic money. This means holding fewer dollars that are decreasing in value while holding gold as it increases in value.

A soaring gold price is a vote of no confidence in the central bank and the dollar. This certainly was the case in 1979 and 1980. Today gold prices reflect a growing restlessness with the increasing money supply, our budgetary and trade deficits, our unfunded liabilities, and the inability of this Congress and the administration to rein in runaway spending.

Denying us statistical information, manipulating interest rates, and artificially trying to keep gold prices in check won't help in the long run. If the markets are fooled only on the short term, it only means the adjustments will be much more dramatic later on, and in the meantime other market imbalances develop.

The Fed tries to keep the consumer spending spree going, not through hard work and savings, but by creating artificial wealth in stock market bubbles and housing bubbles. When these distortions run these courses and are discovered, the corrections will be quite painful as was witnessed with the collapse of the NASDAQ bubble. Likewise a fiat monetary system encourages speculation and unsound borrowing.

As problems develop, scapegoats are sought and frequently found in foreign nations. This prompts many to demand altering exchange rates and protectionist measures. The sentiment for this type of solution is growing each day. Though everyone decries inflation, trade imbalances, economic downturns and Federal deficits, few attempt a closer study of our monetary system and how these events are interconnected.

Even if it were recognized that a gold standard without monetary inflation would be advantageous, few in Washington would accept the political disadvantages of living with the discipline

of gold since it serves as a check on government size and power. This is a sad commentary on the politics of today.

The best analogy to our affinity for government spending, borrowing and inflating is that of a drug addict who knows if he doesn't quit, he will die, yet he can't quit because of the heavy price required to overcome the dependency.

The right choice is very difficult, but remaining addicted to drugs guarantees the death of the patient, while our addiction to deficit spending, debt and inflation guarantees the collapse of our economy.

Special interest groups, who vigorously compete for Federal dollars, want to perpetuate the system rather than admit to a dangerous addiction. Those who champion welfare for the poor, entitlements for the middle class or war contracts for the military industrial complex all agree on the so-called benefits bestowed by the Fed's power to counterfeit fiat money.

Bankers who benefit from our fractional reserve system likewise never criticize the Fed, especially since it is the lender of last resort that bails out financial institutions when crises arise. It is true, special interest and bankers do benefit from the Fed and may well get bailed out, just as we saw with the long-term capital management fund crisis a few years ago.

In the past, companies like Lockheed and Chrysler benefited as well. But what the Fed cannot do is guarantee the market will maintain trust in the worthiness of the dollar. Current policy guarantees that the integrity of the dollar will be undermined. Exactly when this will occur, and the extent of the resulting damage to the financial system, cannot be known for sure, but it is coming. There are plenty of indications already on the horizon.

Foreign policy plays a significant role in the economy and the value of the dollar. A foreign policy of militarism and empire building cannot be supported through direct taxation. The American people would never tolerate the taxes required to pay immediately for overseas wars under the discipline of a gold standard. Borrowing and creating new money is much more politically palatable. It hides and delays the real costs of the war. The people are lulled into complacency, especially since the wars we fight are couched in terms of patriotism, spreading the ideas of freedom and stamping out terrorism. Unnecessary wars and fiat currencies go hand in hand, while a gold standard encourages a sensible foreign policy.

The cost of war is enormously detrimental. It significantly contributes to the economic instability of the Nation by boosting spending, deficits and inflation. Funds used for war are funds that could have remained in the productive economy to raise the standard of living of Americans now unemployed, underemployed or barely living on the margin.

Yet even these costs may be preferable to paying for war with huge tax increases. This is because although fiat dollars are theoretically worthless, value is imbued by the trust placed in them by the world's financial community. Subjective trust in a currency can override objective knowledge about government policies, but only for a limited time.

Economic strength and military power contributes to the trust in a currency. In today's world trust in the U.S. dollar is not earned, and, therefore, fragile. The history of the dollar, being as good as gold up until 1971, is helpful in maintaining an artificially higher value for the dollar than deserved.

Foreign policy contributes to the crisis when the spending to maintain our worldwide military commitments become prohibitive, and inflationary pressures accelerate. But the real crisis hits when the world realizes the king has no clothes in that the dollar has no backing, and we face a military setback even greater than we already are experiencing in Iraq. Our token friends may quickly transform into vocal enemies once the attack on the dollar begins.

False trust placed in the dollar once was helpful to us, but panic and rejection of the dollar will develop into a real financial crisis. Then we will have no other option but to tighten our belts, go back to work, stop borrowing, start saving, and rebuild our industrial base while adjusting to a lower standard of living for most Americans. Counterfeiting the Nation's money is a serious offense.

The Founders were especially adamant about avoiding the chaos, inflation and destruction associated with the continental dollar. That is why the Constitution is clear that only gold and silver should be legal tender in the United States. In 1792, the Coinage Act also authorized the death penalty for any private citizen who counterfeited the currency. Too bad they weren't explicit that counterfeiting by government officials is just as detrimental to the economy and the value of the dollar.

In wartime many nations actually operated counterfeiting programs to undermine the dollar, but never to a disastrous level. The enemy knew how harmful excessive creation of new money could be to the dollar and our economy. But it seems we never learned the dangers of creating new money out of thin air. We don't need an Arab nation or the Chinese to undermine our system with a counterfeiting operation. We do it to ourselves with the all the disadvantages that would occur if others did it to us.

Today we hear threats from some Arab, Muslim and some Far Eastern countries about undermining the dollar system not by dishonest counterfeiting, but by initiating an alternative monetary system based on gold. Wouldn't that be ironic? Such an event theoretically could do great harm to us. This day may well come not so much as a direct political attack on the dollar system, but out of necessity to restore confidence in money once again.

Historically paper money never has lasted for long periods of time, while gold has survived thousands of years of attacks by political interests and big government. In time the world once again will restore trust in the monetary system by making some currency as good as gold.

Gold or any acceptable market commodity money is required to preserve liberty. Monopoly control by government of a system that creates fiat money out of thin air guarantees the loss of liberty. No matter how well intended our militarism is portrayed or how happily the promises of wonderful programs for the poor are promoted, inflating the money supply to pay these bills makes government bigger.

Empires always fail, and expenses always exceed projections. Harmful unintended consequences are the rule, not the exception. Welfare for the poor is inefficient and wasteful. The beneficiaries are rarely the poor themselves, but, instead, the politicians, the bureaucrats or the wealthy. The same is true of all foreign aid. It is nothing more than a program that steals from the poor in a rich country and gives to the rich leaders of a poorer country.

Whether it is war or welfare payments, it always means higher taxes, inflation and debt. Whether it is the extraction of wealth from the productive economy, the distortion of the market by interest rate manipulation or spending for war and welfare, it can't happen without infringing upon personal liberty.

At home the war on poverty, terrorism, drugs or foreign rulers provide an opportunity for authoritarians to rise to power, individuals who think nothing of violating the people's rights to privacy and freedom of speech. They believe their role is to protect the secrecy of government rather than protect the privacy of citizens.

Unfortunately, that is the atmosphere under which we live today with essentially no respect for the Bill of Rights. Though great economic harm comes from a government monopoly, fiat monetary system, the loss of liberty associated with it is equally troubling.

Just as empires are self-limiting in terms of money and manpower, so, too, is a monetary system based on illusion and fraud.

When the end comes, we will be given an opportunity to choose once again between honest money and liberty on one hand, chaos, poverty and authoritarianism on the other. The economic harm done by a fiat monetary system is pervasive, dangerous and unfair.

Though runaway inflation is injurious to almost everyone, it is more insidious for certain groups. Once inflation is recognized as a tax, it becomes

clear that tax is regressive in nature, penalizing the poor and the middle class more than the rich and the politically privileged. Price inflation, a consequence of inflating the money supply by the central bank, hits poor and marginal workers first and foremost. It especially penalizes savers, retirees, those on fixed incomes, and anyone who trusts government promises.

□ 2300

Small businesses and individual enterprises suffer more than the financial elite, who borrow large sums before the money loses value. Those who are on the receiving end of government contracts, especially in the military industrial complex during wartime, receive undeserved benefits.

It is a mistake to blame high gasoline and oil prices on price gouging. If we impose new taxes or fix prices while ignoring monetary inflation, corporate subsidies and excessive regulations, shortages will result. The market is the only way to determine the best price for any commodity. The law of supply and demand cannot be repealed. The real problems arise when government planners give subsidies to energy companies and favor one form of energy over another.

Energy prices are rising for many reasons: inflation, increased demand from China and India, decreased supply resulting from our invasion into Iraq, anticipated disruption of supplies as we push regime change in Iran, regulatory restrictions on gasoline production, government interference in the free market development of alternative fuels, and subsidies to Big Oil, such as free leases and grants for research and development.

Interestingly, the cost of oil and gas is actually much higher than we pay at the retail level. Much of the DOD budget is spent protecting ''our'' oil supplies; and if such spending is factored in, gasoline probably costs us more than $5 a gallon. The sad irony is that the military efforts to secure cheap oil supplies inevitably backfire and actually curtail supplies and boost prices at the pump. The waste and fraud in issuing contracts to large corporations for work in Iraq only adds to price increases.

When problems arise under conditions that exist today, it is a serious error to blame the little bit of the free market that still functions. Last summer, the market worked efficiently after Katrina. Gasoline hit $3 a gallon, but soon supplies increased, usage went down, and the price returned to $2. In the 1980s, market forces took oil from $40 a barrel down to $10 a barrel, and no one cried for the oil companies that went bankrupt. Today's increases are for the reasons mentioned above. It is natural for labor to seek its highest wage and businesses to strive for the greatest profits. That is the way the market works. When the free market is allowed to work, it is the consumer who ultimately determines price and quality, with labor and businesses accommodating consumer choices. Once this process is distorted by government, prices rise excessively, labor costs and profits are negatively affected, and problems emerge.

Instead of fixing the problem, politicians and demagogues respond by demanding windfall profits taxes and price controls, while never questioning how previous government interference caused the whole mess in the first place. Never let it be said that high oil prices and profits cause inflation. Inflation of the money supply causes higher prices.

Since keeping interest rates below market levels is synonymous with new money creation by the Fed, the resulting business cycle, higher cost of living and job losses all can be laid at the doorstep of the Fed. This burden hits the poor the most, making Fed taxation by inflation the worst of all regressive taxes. Statistics about revenues generated by the income tax are grossly misleading. In reality, much harm is done by our welfare-warfare system supposedly designed to help the poor and tax the rich. Only sound money can rectify the blatant injustice of this destructive system.

The Founders understood this great danger and voted overwhelmingly to reject ''emitting bills of credit,'' the term they used for paper money or fiat currency. It is too bad the knowledge and advice of our Founders and their mandate in the Constitution are ignored, and it is ignored at great peril. The current surge in gold prices, which reflects our dollar's devaluation, is warning us to pay closer attention to our fiscal, monetary, entitlement, and foreign policy.

A recent headline in the financial press announced that gold prices surged over concern that confrontation with Iran will further push oil prices higher. This may well reflect the current situation, but higher gold prices mainly reflect monetary expansion by the Federal Reserve. Dwelling on current events and their effect on gold prices reflects concern for symptoms rather than an understanding of the actual cause of these price increases. Without an enormous increase in the money supply over the past 35 years and a worldwide paper monetary system, this increase in the price of gold would not have occurred.

Certainly geopolitical events in the Middle East under a gold standard would not alter its price, though they could affect the supply of oil and cause oil prices to rise. Only under conditions created by excessive paper money would one expect all or most prices to rise. This is a mere reflection of the devaluation of the dollar.

Here are a few particular things that we should remember: if one endorses small government and maximum liberty, one must support commodity money.

One of the strongest restraints against unnecessary war is a gold standard.

Deficit financing by government is severely restricted by sound money.

The harmful effects of the business cycle are virtually eliminated with an honest gold standard.

Saving and thrift are encouraged by gold standard and discouraged by paper money.

Price inflation, with generally rising price levels, is characteristic of paper money. Reports that the Consumer Price Index and the Producer Price Index are rising are distractions. The real cause of inflation is the Fed's creation of new money.

Interest rate manipulation by central banks helps the rich, the banks, the government, and the politicians.

Paper money permits the regressive inflation tax to be passed off on the poor and the middle class.

Speculative financial bubbles are characteristic of paper money, not gold.

Paper money encourages economic and political chaos, which subsequently causes a search for scapegoats rather than blaming the central bank.

Dangerous protectionist measures frequently are implemented to compensate for the dislocations caused by paper money.

Paper money, inflation, and the conditions they create contribute to the problems of illegal immigration.

The value of gold is remarkably stable.

The dollar price of gold reflects dollar depreciation.

Holding gold helps preserve and store wealth; but technically, gold is not a true investment.

Since 2001, the dollar has been devalued by over 60 percent. In 1934, FDR devalued the dollar by 41 percent. In 1971, Nixon devalued the dollar by 7.9 percent. In 1973, Nixon devalued the dollar by 10 percent.

These were momentous monetary events, and every knowledgeable person worldwide paid close attention. Major changes were endured in 1979 and 1980 to save the dollar from disintegration. This involved a severe recession, interest rates over 21 percent, and general price inflation of 15 percent.

Today, we face a 60 percent devaluation and counting, yet no one seems to care. It is of greater significance than the three events mentioned above, and yet the one measurement that best reflects the degree of inflation, the Fed and our government denies us. Since March, M3 reporting has been discontinued. For starters, I would like to see Congress demand that this report be resumed. I fully believe the American people and Congress are entitled to this information.

Will we one day complain about false intelligence, as we have with the Iraq war? Will we complain about not having enough information to address monetary policy after it is too late?

If ever there was a time to get a handle on what sound money is and what it means, that time is today. Inflation, as exposed by high gold prices, transfers

wealth from the middle class to the rich, as real wages decline while the salaries of CEOs, movie stars, and athletes skyrocket, along with the profits of the military industrial complex, the oil industry, and other special interests.

A sharply rising gold price is a vote of no confidence in the Congress' ability to control the budget, the Fed's ability to control the money supply, and the administration's ability to bring stability to the Middle East.

Ultimately, the gold price is a measurement of trust in the currency and the politicians who run the country. It has been that way for a long time, and it is not about to change.

If we care about the financial system, the tax system, and the monumental debt we are accumulating, we must start talking about the benefits and discipline that come only with a commodity standard of money: money the government and central banks absolutely cannot create out of thin air.

Economic law dictates reform at some point, but should we wait until the dollar is 1/1000 of an ounce of gold or 1/2000 of an ounce of gold? The longer we wait, the more people will suffer and the more difficult reforms become. Runaway inflation inevitably leads to political chaos, something numerous countries have suffered throughout the 20th century. The worst example, of course, was the German inflation of the 1920s that led to the rise of Hitler.

□ 2310

Even the Communist takeover of China was associated with runaway inflation brought on by the Chinese nationalists.

The time for action is now, and it is up to the American people and the U.S. Congress to demand it.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Ms. FOXX). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for the remaining time until midnight.

Mr. MEEK of Florida. Madam Speaker, it is an honor to address the House once again. The 30-something Working Group, we come to the floor to share with the American people some of the issues that are going on here in the Capitol dome, and hopefully bring about solutions that they can all feel good about, and hopefully we can work in a bipartisan way.

We want to thank the Democratic leadership for allowing us to have this hour on the floor: The Democratic Leader, Ms. Nancy Pelosi; and Mr. HOYER, our Democratic whip; and also our Democratic caucus chair Mr. CLYBURN; and also the vice chairman of the Democratic Caucus Mr. LARSON.

We have been on break for about 2 weeks. It seems like the American people have taken a deep breath to really take a step back and look at the way this government is being operated. It is almost self-explanatory.

I am so glad Ms. WASSERMAN SCHULTZ from the State of Florida is here. We served together as public policymakers for more than a decade, and I think it is important that we look at this time in the history of our country, at how our government is functioning at this particular time, and we point out how it can be different. I think it is important that we continue to hammer on that.

With that, I would like to welcome my good friend here tonight as we are going to hold down this 30-something special hour. We know that Mr. RYAN is not going to be with us tonight, and I do not believe Mr. DELAHUNT is going to be with us tonight.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I, too, want to express my thanks to the Democratic leader and the Democratic whip.

Wow, the 2 weeks we had at home, I am sure that you experienced just like I did, I went home and heard an earful from folks in my district who just really are at the end of their rope. They are fed up. They are sick and tired of being sick and tired. I think one woman said it best. She has just reached the end of her last nerve, whether it is the culture of corruption and the daily revelation that comes out of this capital with either an indictment or an accusation or an ethical cloud or an example of cronyism, or just one more example of the incompetence that has really permeated government as led by the Republican leadership.

People are sick of it. They really are. They are sick of the gas prices. They are sick of the issues coming up again repeatedly and not being dealt with and not being addressed and their concerns not being addressed until it becomes such an immense political issue that the Republican leadership realizes it is unavoidable. They are over it, and I can understand why they are over it.

Mr. MEEK of Florida. Madam Speaker, I just want to share with the gentlewoman that it is sad because we have had an opportunity to come to this floor and talk about the issues that are facing this country and that will face this country based on the legislation that the Republican majority has pushed through that the Bush White House wanted, that the majority in the Senate wanted that happened to be Republican. We talked about these things. We stood out as Democrats on the floor to try to come up with alternative fuels. We tried to get questions answered as it relates to the war in Iraq.

Now we have eight, nine, and if we continue to count, it will be in double digits, not just individuals within the military, but we are talking about generals, flag officers saying on behalf of their country we have to make a change.

Tonight, Madam Speaker, just like when we last year and the year before that talked about the K Street Project, which was a project, and I am so glad we are joined by Mr. DELAHUNT. I take back my words. I did not think you were going to be with us tonight. As usual, you came through.

Mr. DELAHUNT. This was a test.

Mr. MEEK of Florida. We talked about the K Street Project and special influence here in this House of Representatives. We talked about how certain lobbyists could not go into certain offices of Members of the majority. This came out of the mouths of Members if they were not a part of this activity. And then later after a lobbyist admitted, and, hey, you do not even have to call a jury, we do not have to call a trial. He admits, I admit I am wrong, I was a part of this operation here in Washington, DC. It was encouraged by Members of Congress. Then all of a sudden the majority comes out and says, we denounce this. It is wrong. It will no longer be tolerated on Capitol Hill.

It sounds like what we are hearing now. We are hearing the President respond to, Mr. President, can you talk about the oil prices?

The President says, America is addicted to oil.

We have to chuckle about it because it is so in the face of the American people.

Ms. WASSERMAN SCHULTZ. It is insulting. In January, the three of us, along with our colleagues, sat in this Chamber and listened to the President deliver the State of the Union and the line he had in the State of the Union about America's addiction to oil and that we needed to end it. You know, it is insulting. It is insulting on so many levels.

Number one, it is insulting that just last year, and I have made this reference before. I have only been here 14 months now, and in the last 14 months just while I was here, we have voted on two different energy bills that gave away the store to the energy companies, to the oil companies.

So it was just so obnoxious when in the President's State of the Union he is talking about us, the United States, needing to end, Americans needing to end our addiction to oil. Where have his proposals been? Where has his agenda been? Suddenly today or yesterday he comes up with his five points that we need to move on to address the energy crisis that we are in? I mean, give me a break.

The American people understand when their leaders are genuine and when they are scrambling because politically they know there is no other choice.

Mr. DELAHUNT. Madam Speaker, I was listening to the President today, and I thought it was interesting that for the first time that I can remember, this President indicated that maybe it was time to take away those tax breaks for big oil. I mean, that is just a desperate response to falling polling numbers, because those tax breaks and

subsidies for big oil, Madam Speaker, were the product of his energy policy combined with the rubber-stamp Republican Congress that has run this country for the last 6 years.

□ 2320

Whose policy is it, Madam Speaker? It is not a Democratic policy that is responsible for a gallon of gas going from $1.45 on January 20, 2001, to $2.91 today.

Ms. WASSERMAN SCHULTZ. This is something that I think the Members who are hearing us should really be able to see while we are talking about it. And following, I mean, the comparison on the heels of what we have just been talking about with two pieces of Republican-led energy legislation giving away the store last year to the oil companies, forgiving taxes, allowing for drilling rights tax free, with taxes being forgiven. In the time that President Bush has been in office, when he took office January 20 of 2001, gas prices, Americans paid $1.45 a gallon. Now, fast forward to today, and we now pay an average price of $2.91 a gallon. Now, in 5 years, a little more than 5 years.

Mr. MEEK of Florida. I know, Mr. DELAHUNT and Ms. WASSERMAN SCHULTZ, that the American people see this and say wait a minute, they must have a typo on this. It is like $3.06 last I saw. But this is on average. I just want to make sure because, Madam Speaker, I think it is important. I am glad you are spelling this out, and I am glad you have this chart because we want to make sure the Republican majority knows exactly what their policies have brought on the American people, Democrat and Republican. I'm sorry, Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. That is okay. So people understand what we are talking about, those two bills last year cost taxpayers more than $12 billion, with a B, billion dollars in giveaways to big oil companies. That was in the legislation where essentially taxes they were required to pay they did not have to pay because those pieces of legislation forgave those taxes

Mr. DELAHUNT. If the gentlewoman would just yield for a minute.

Ms. WASSERMAN SCHULTZ. I would be glad to yield.

Mr. DELAHUNT. I think it is important to review that for every year that this House of Representatives has been controlled by the Republican majority, during the summer months, from April 1 to September 30, the price of gasoline has dramatically escalated.

Mr. MEEK, in 2002, if you went to your local gas station, you paid $1.39. The majority, in 2002, in this House of Representatives, Madam Speaker, was Republican.

In 2003, Madam Speaker, the majority in this House was Republican. And if you examine that chart, there was about another 20 cent plus-up for a gallon of gas.

Ms. WASSERMAN SCHULTZ. Mr. DELAHUNT, can I ask you a question?

Mr. DELAHUNT. Of course.

Ms. WASSERMAN SCHULTZ. In the evolution of gas prices that you have on that chart, 2002, $1.39; 2003, $1.57; and $1.90 in 2004; $2.37 in 2005; and now an average of $2.91 in 2006, in between that time, because I have not been in Congress all those years, and you have, have the Republicans who have controlled Congress all of this time, and President Bush who has been President all of this time, have they put forward any proposals to fund, significantly fund, alternative energy sources? Has there been anything that has been initiated by the Republican leadership here, by this White House maybe that I didn't see since I was still in the State legislature to fend this off, to make it less likely that the situation we are in now we wouldn't find ourselves in? Because the President did say in his remarks and commentary in the last several days about what control he did or didn't have over gas prices, that he really wasn't able to control market forces. I mean, I heard him say that.

Well, no, he probably can't control market forces, but there are certainly things that they could have put forward. But I haven't seen it. Did they?

Mr. DELAHUNT. Well, they did, but it didn't help. What they did is they put forth a welfare program for Big Oil. I mean, that is truly what they did.

Ms. WASSERMAN SCHULTZ. What do you mean by a welfare program for Big Oil?

Mr. DELAHUNT. Well, how about $16 billion worth of subsidies for Big Oil? And this, of course, this is not for poor folk, because the big oil companies, Madam Speaker, they are doing remarkably well in this country. They are showing profits that only can be described as embarrassing in a free enterprise system.

Ms. WASSERMAN SCHULTZ. Should we illuminate that a little bit?

Mr. DELAHUNT. I yield to my friend.

MS. WASSERMAN SCHULTZ. Some people might be concerned about our commentary here and you referring to profits as being obscene, because, obviously, in a capitalistic society we understand and think profit is a good thing. So I think it is important that people understand what we mean. While giving away the store, while giving away $12 billion in tax breaks.

Mr. DELAHUNT. Sixteen billion all together.

MS. WASSERMAN SCHULTZ. Sixteen billion all together. Forgive me.

Mr. DELAHUNT. Subsidies and tax breaks. Let's just call it welfare for Big Oil.

Ms. WASSERMAN SCHULTZ. Right, the oil welfare that we have given away.

Mr. DELAHUNT. That is the oil welfare program.

Ms. WASSERMAN SCHULTZ. My experience with tax breaks as a State legislator and now a Member of Congress is that you generally give those kinds of breaks to help a business get back on its feet, thrive, to maybe bridge them through a difficult time. In 2002, the oil companies made a combined profit of $34 billion. In 2003 it was $59 billion.

Mr. DELAHUNT. Could I interrupt for a minute?

MS. WASSERMAN SCHULTZ. Yes.

Mr. DELAHUNT. Could I ask my friend from Florida just to repeat that. $34 billion, and that was all of the major oil companies?

MS. WASSERMAN SCHULTZ. Yes.

Mr. DELAHUNT. Would you, for the sake of our conversation here, would you identify them, if you can read them from the chart?

Ms. WASSERMAN SCHULTZ. Sure. As you can see, BP, Chevron, Shell, Conoco, and Exxon-Mobil.

Mr. DELAHUNT. So the five of them, Madam Speaker, in the year 2002?

Ms. WASSERMAN SCHULTZ. Yes, 2002.

Mr. DELAHUNT. In the year 2002 had a combined profit of $34 billion. And then, of course, that was just the beginning.

Ms. WASSERMAN SCHULTZ. That was only the tip of the iceberg, because if you continue down the road, and remember, I just got here, and so we will get to 2005 in a minute. But it was 2005 that the $16 billion was granted that we have been talking about. But you go to 2003: $59 billion in profits. Also the same oil companies.

Mr. DELAHUNT. So, in one year, you are telling me that it almost doubled, or did it?

MS. WASSERMAN SCHULTZ. Not quite, not quite doubled. No. About a third more in profits.

Mr. DELAHUNT. Okay.

Ms. WASSERMAN SCHULTZ. Then you go to 2004, and we are at $84 billion in profits.

Mr. DELAHUNT. $84 billion.

MS. WASSERMAN SCHULTZ. $84 billion.

Mr. DELAHUNT. In 2 years. I guess that is productivity.

Ms. WASSERMAN SCHULTZ. Not bad if you can do it. And then you go to 2005. In a year where we passed two major energy bills that gave away $16 billion in tax breaks and subsidies to the oil companies, they made, last year, $113 billion; and one of those companies made more money in one quarter than any company in U.S. history.

Mr. DELAHUNT. And that company is?

Ms. WASSERMAN SCHULTZ. That was Exxon-Mobil.

Mr. DELAHUNT. And my memory is that Exxon-Mobil, for the year, had a profit of $39 billion, that one company.

Ms. WASSERMAN SCHULTZ. More than all of the companies combined profited in 2002.

Mr. DELAHUNT. Three years ago. Now, that is why I use the word ''obscene,'' because something is wrong with our free market system.

Ms. WASSERMAN SCHULTZ. And we don't begrudge profit.

Mr. DELAHUNT. I encourage profit. Clearly profit is important. And it is what made this country unique in terms of our ability to have a high standard of living. But this is not free market. This is not free market. This is something different. This is either price gouging or some sort of market.

Ms. WASSERMAN SCHULTZ. This is doing what the Republican leadership is allowing them to do.

□ 2330

Mr. DELAHUNT. This is oligopoly or a tendency towards monopoly, and this House has done nothing, Madam Speaker. There has not been any antitrust hearing as far as the oil companies are concerned, Madam Speaker. We have not had any hearings at all in the committee of jurisdiction, which is the Judiciary Committee, that would shed some light on why in 3 years they went from $34 billion to $113 billion. And we wonder why, Madam Speaker, we wonder why the American people are losing confidence in the House of Representatives, the people's House.

Ms. WASSERMAN SCHULTZ. Can I ask you a question, Mr. DELAHUNT, again because you have more direct experience with this than I do? My understanding is that the oil companies, they do not own the areas of the gulf and the other places that they drill for oil. The Federal Government sells them essentially, through payment of taxes, the rights to drill; that these are essentially public lands, whether they are in the Gulf of Mexico or wherever they are drilling, I mean whether it is Texas or any portion. I do not believe any of the area is private land, any of the significant area. So when we forgive the oil companies taxes, we are basically giving away the ownership rights to a private company that the government owns and just saying, here, take our oil stores for free. Is that right?

Mr. DELAHUNT. Well, there is such a thing as royalty payments, but in this administration there is a rule that has created a situation where even though the dollar value, as we can see from these various charts, has exploded in terms of revenue to the oil companies, the royalty payments that they make, Madam Speaker, have declined by $7 billion. And this is the energy policy of the Bush administration and the Bush Republican Congress. And yet we hear on this floor complaints about the Democratic proposals.

You cannot run against Washington, Madam Speaker, when you are Washington. You just cannot do it. You cannot argue with yourself. This is your mess. This energy policy, you own it, Madam Speaker. The leadership in this House, the leadership in this Republican Senate, and the leadership of the Bush administration own this reality today, which is over the past 3 years big oil profits have more than tripled. And we here in this Congress, in collusion with that White House, have provided welfare to Big Oil on top of that. That is truly, Mr. MEEK, obscene.

Mr. MEEK of Florida. Well, Mr. DELAHUNT and Ms. WASSERMAN SCHULTZ, I just have been quiet for about maybe 8 or 10 minutes, which is not common when we are having this kind of discussion.

Madam Speaker, like I said before we went on break, it is not even fair. I mean, you would think that someone would wake up 1 day, especially the minority party would wake up, and say, wow, if we had a tool box that dealt with a war that is not being managed appropriately; an energy crisis within the country; containers as it relates to coming into this country going unchecked; families that are not able to provide health care, and neither are small businesses able to provide health care; States that are suing the Federal Government, Leave No Child Behind legislation, Democratic and Republican Governors are suing the Federal Government because of a lack of funding to the Federal Government's own initiative; that environmentally we have a number of issues going on on top of a natural disaster where the response and recovery were not managed well; CIA leaks at the White House; Members of this body in question of ethical violations and a culture of corruption and cronyism under the Capitol Dome. And better yet, Madam Speaker, the reason why we do not have a Democratic Member serving as Speaker or serving as the majority leader is the fact that we are in the minority. But the only good thing about that whole thing that I pointed out, because as an American it turns my stomach that that is even the environment in the United States of America as we speak, partisanship has nothing to do with my being an American and my responsibility as a Member of Congress.

So, Mr. DELAHUNT and Ms. WASSERMAN SCHULTZ, maybe for the next 4 minutes let us just talk about if Democrats were in control of this House and hopefully in control of the Senate to be able to say no to the administration when they want to put the country in this posture. Democrats, Independents, Republicans, what have you are all concerned about what is going on. The polling has indicated that.

Now, I just want to take out this document that we have held up several times, our innovation agenda. Wow, here is a plan. The Democrats' energy plan. Here is a plan. I want to say this to my Republican colleagues because they have the audacity to come down to the floor saying, They do not have any solutions; so how can they criticize our inability to carry out the energy policy?

Well, here is the solution right here. It has been on our Web site, and I encourage everyone to go to www.housedemocrats.gov and pull up the innovation agenda. We did not just put it on there before we came to the floor. It has been there for months. Months. They are talking about it. We want to do it.

Energy independence in 10 years. Energy independence in 10 years, to change the investment from counting on the Middle East and counting on the Midwest. Ethanol, making sure that we promote petroleum-based ideas of rapidly expanding the production of synthetic bio-based fuels. It is right there. It is just an investment.

But what is stopping the Republican majority from taking our plan, as I am going to point out here as we talk about price gouging, and running with it? Well, Ms. WASSERMAN SCHULTZ just had the chart up with all the oil companies. It has to be the relationship with the oil companies. The American people, Republicans, Democrats, Independents, are paying through the nose as we speak. Some folks are putting a quarter of gas in their tank because they cannot afford it. These are the constituents, unfortunately, of individuals of power and influence in Washington, D.C. I did not get a vote from any of these companies. Maybe the folks that work for the companies say maybe I want to vote on behalf of education and good representation in Washington, but they did not say, hey, you know, these are my constituents, and I am going to stand in the way and make sure that they have what they need.

Let me just talk fact, not fiction here, because I think it is important. Oil companies, record profits. RECORD profits. Folks want to talk about Wal-Mart? Goodness gracious, these oil companies make Wal-Mart look like a five and dime store.

Mr. DELAHUNT. In my day that was called penny candy.

Mr. MEEK of Florida. Let me just say this, Mr. DELAHUNT. Folks want to go knocking companies and start talking about who is making what, and folks are upset about it. And there are some folks out there. But the bottom line is, like you said, ''profits'' is not a bad word, and we believe in profits. It is the American way, and capitalism rules. And I am the first one in line when it comes down to that, and I am not faulting those oil companies. I am not mad at Exxon Mobil or any of those oil companies that are out there. I am upset with the Members that are allowing them to get away with literally a crime of ripping dollars out of everyday working Americans' pockets and then the majority leadership in both Chambers having the audacity to send a letter over to the White House, saying, ''We would like for you to investigate this issue of price gouging,'' when they set the playing field for it to happen.

□ 2340

They set the playing field for it to happen.

Ms. WASSERMAN SCHULTZ. If the gentleman would yield for 15 seconds.

Mr. MEEK of Florida. You can have 20, if you want it.

Ms. WASSERMAN SCHULTZ. Thank you for your generosity. What we are

saying, I want to underscore what we are saying when we say we are not opposed to profit, because that profit we had up there a minute ago, if it happened and the oil companies were being asked to pay their fair share, if they were paying the royalties and the taxes that they are supposed to be under the law to the Federal Government for the rights to drill, you know what? You can't begrudge them the profits, because that is the free market system.

But they are not. They are being given these oil rights for free, for no remuneration or very little remuneration whatsoever. And they don't need it. They are not struggling. Far from it. The people who are struggling now are Americans who need to go to work, who need to get their kids to school.

Mr. DELAHUNT. But stop for a minute and just see what the values are. We hear a lot about values. Here we are providing a wealthy program for big oil, and at the same time we are not adequately funding the so-called LIHEAP program, which provides assistance to low-income families, working families, so that they can get through the winter, so that they are not forced to make a decision between having food on the table and staying warm.

Ms. WASSERMAN SCHULTZ. Mr. DELAHUNT, given that I am from Florida and have a particular sensitivity to not using much heat, can you explain what the LIHEAP program is?

Mr. DELAHUNT. The LIHEAP program has been around for some time now, and it has been a program that was introduced in a Democratic Congress, supported by Democratic presidents and adequately funded. Today, only 20 percent of those who are eligible based on income, who would qualify if the funding were available, only 20 percent of those receive that assistance.

Ms. WASSERMAN SCHULTZ. What does LIHEAP do for folks?

Mr. DELAHUNT. It gives them basically a discount on the purchase of their energy for heating their homes.

Ms. WASSERMAN SCHULTZ. It gives them a break on their bill.

Mr. DELAHUNT. You said it better than I did. It gives them a break on their bill, and it is administered through community action programs. And, we don't fund it adequately. I think that the total is a little over $2 billion annually. Now, stop and think: $2 billion for hundreds of thousands, millions, actually, of families that would qualify in this country for some help to stay warm so they didn't have to make that choice between eating or freezing. Yet, we are giving $16 billion in subsidies to major oil.

This is Alice in Wonderland, Madam Speaker. Up is down and down is up. How does the majority justify this? How do you justify that in moral terms, Madam Speaker?

This is more than just public policy. I would suggest to you that doing that amounts to a violation of our moral code and moral responsibility as leaders in this country. That is what it is.

Ms. WASSERMAN SCHULTZ. Mr. DELAHUNT, can I just describe the difference between the Alice in Wonderland-like policy that is made here, where down is up and down is up, and reality? At the end of Alice in Wonderland, Alice woke up and it was a dream and she could go back to what reality really was for her.

Mr. DELAHUNT. But this is a nightmare.

Ms. WASSERMAN SCHULTZ. That is right, that the Republican leadership won't let Americans wake up from.

Mr. MEEK of Florida. Can I reclaim my time from the 20 seconds?

Ms. WASSERMAN SCHULTZ. That was a long 20 seconds.

Mr. MEEK of Florida. But that was good information. Talking about the program a little further, we have a Stupak bill, which is a Democratic bill here in this House, that is going to give relief to consumers, small businesses and farmers and provide relief from skyrocketing heating home costs that they are taking on right now. It is the Low Income Home Energy Assistance Program, and basically it comes from the fines which I am going to go into now, Mr. DELAHUNT, of what the Republican majority blocked, Madam Speaker. And guess what? That is not what KENDRICK MEEK is saying, that is not what BILL DELAHUNT was saying or DEBBIE WASSERMAN SCHULTZ has said in the past or even Mr. RYAN in his absence has said in the past. This is the CONGRESSIONAL RECORD.

Republicans voted against imposing tough criminal penalties on price gouging companies and also tough civil fines up to $3 million in price gouging as it relates to protecting consumers. This is CQ vote number 500, H.R. 3402, taken September 28, 2005. The motion was rejected on a 195 to 226 vote. Republicans voted against this overwhelmingly, Democrats voted for it. 194 Democrats voted for it and I believe 226 Republicans voted against it.

Another vote, CQ vote, this is all stuff Members can look up, vote number 517, H.R. 3893, taken October 7, 2005. Again, Republicans voted overwhelmingly against this measure from being placed into legislation on price gouging, 199 to 222. The majority prevailed again.

I think it is important for us to understand, Madam Speaker, that time after time again, and I know we have another example, Republicans killed the amendment. Which one did I not share? Those are the two that were there. But they are continuing to kill these amendments.

So, Madam Speaker, it is kind of mind-boggling when we look up, open the local hometown paper, whatever it may be, it could be the one in Florida where I represent or it can be right here in the Beltway, to read that Republican leaders are thinking about going after folks as it relates to price gouging.

Now, I am just going to give the Republican majority a little. They will say okay, that is not true. We did do something.

What they did was nothing. I am not a black man with a conspiracy theory, but I am here to tell you that I am concerned, especially when I see headlines, the Washington Post, November 16, 2005, that says ''Document says oil chief met with the Vice President of the United States on his task force.'' So how in the world can folks sit down with the very people that are making record profits? This was put in motion long ago, and now folks are acting like they don't know what is going on.

You know why they are acting like they don't know what is going on? Because the American people are pulling their car and saying you know something, Mr. Congressman, madam Congresswoman, you said you were there to protect me. You are not doing a good job, because I can't even put gas in my tank to take my children to school, I can't even make it to work. We are trying to car pool. Even that is becoming a little difficult. And you have folks, they don't have enough money. Some of these pumps in some communities won't even allow them to pump all of the gas they need to pump to fill their tank.

Hello? We have also gas stations here in Washington, D.C. that are out of gas, and South Florida. Maybe those small businesses, independent businesses within these oil companies, can't even afford the gas.

And we are going to find out. You know what is going to happen again? We are going to find in this time, and let me just say, Johnny Carson used to have the envelope he would put to his head.

Ms. WASSERMAN SCHULTZ. Carnack the Magnificent.

Mr. MEEK of Florida. He would say something like ''high prices, backroom deals.'' He would open the envelope and later we would see oh, wow, and they made record profits while this was going on.

□ 2350

I am going to go ahead and crystal-ball this thing, because that is what is going to happen, and folks are going to say, well, we really need to do something about it.

If I was in the Republican majority right now, that is very hypothetical, I must add, I would be concerned. If I am home in the bed right now, Madam Speaker, and I was a Member of the majority, I would sit up in my bed and say, you know, maybe, just maybe, we need to go see the wizard, get some courage, get some leadership, and say, you know something, enough is enough, because I am going to be in the minority, not because of the fact that folks did such a great job as it relates to raising money, because you know we cannot raise more money than the other side, not the fact that, you know, our ties are better or our dresses, you

know, the dresses that the female Members on this side wear are better.

But I think it is important, Madam Speaker, that we look at the facts. It is not fair. It is not fair to the American people, and it is not even fair if I was on the Republican majority side, we tell the Republican majority, come out and defend the selling of America. All of these countries here are owning a part of America. I do not care if you are a diehard Republican, and that you are the chair of the local Republican committee, you have to have a problem with this.

You tell your Members, explain this to me. Why are we selling America away? Why are we giving tax breaks we cannot afford? We are we allowing the oil companies to do this? Why? Why? Why? Do not tell me to vote Republican because we are Republicans and that we always did it, and that my mama did it, and that my grandmother did it, and that my great-great-grandmother did it. We cannot do it because of that. We have to do it because we salute one flag. People have died for us to have this opportunity.

I am so happy that we come to this floor, Madam Speaker, every day, because history will reflect that there were Members in this body in the minority fighting with what they had, with a nub, fighting night after night, day after day, filing amendments, failing on this floor, arm-twisting happening on the other side, and we prevailed because I am going to tell you, the American people are sick and tired of it, and change is going to happen, and it is going to happen for the better.

Ms. WASSERMAN SCHULTZ. I just want to ask you another question. As we went through last year and we debated those energy bills, and I remember when they went through the committees and then actually came, at least one of them did not even go to committee, it just came to the floor. And it came out on this Chamber. One of those bills was yet another example of the red lights changing to green lights, and the board being held open. I think the energy bill that I am referring to, I know the board was held open for at least 40 minutes, until the Republican leadership got the vote that they wanted.

Now, we have asked repeatedly, where is the outrage? Where was the outrage then when Republicans, rank-and-file Republicans, who not only needed some courage, but could have gotten some advice from the Scarecrow and the Tin Man then, too, for some heart and some brains, but where was the outrage? And what did that mean?

Essentially what did it mean when they had the opportunity, when they put their no vote up on the board, yet the leadership came to them on the floor, wrenched their arm behind their back, and what did they do? They were rubber-stamp Republicans yet again. Rubber-stamp Republicans.

And I just, time after time I have noticed that that is really the best way to describe the vast majority of Members of the Republican Caucus, because they have the opportunity to have some courage, they do not have any. What do they have? They have the ability to just say, uh-huh, sure, I will do it exactly the way you want it, Mr. Republican Leader.

Mr. MEEK of Florida. The real issue here is the fact that, Madam Speaker, I am done with trying to beg the majority to lead. I am just done. I mean, there is nothing more that we can say. They have had their opportunity. They have their opportunity now. They are still not moving as a majority. We have said what we would do as Democrats.

The bottom line is Ms. WASSERMAN SCHULTZ talked about the rubber stamp. It is now so big, Mr. President, whatever we can do, whatever you need us to do, we are with you. Just, that is it. Done. What else do you want us to do? And that is just where it is. And we are going to make this as obvious as possible.

Mr. DELAHUNT. I think it is really interesting to note for the record, Madam Speaker, that the relationship between this rubber-stamp Congress and this White House is so close that in the 6 years of this Presidency, he has never had to veto a single piece of legislation that came from the United States Congress. Not once, Madam Speaker, not once.

Mr. MEEK of Florida. Say it is not so, Mr. DELAHUNT.

Mr. DELAHUNT. It is so. Tragically it is so.

Ms. WASSERMAN SCHULTZ. He has never been forced to veto any legislation or sent anything that they were afraid he would not like. And I want to know, where are our colleagues on the other side of the aisle, where is their line? Where is the line that we know we all have, that says, you know, this far and no farther? I just cannot do it. They do not have that line.

Mr. DELAHUNT. Well, I tell you what is happening. Because we are talking about oil, and we are talking about home heating oil, and we are talking about staying warm. We are talking about heat. And the heat is coming, because, you know, we are going to hear a lot of hot air, but the American people are putting the feet to fire of those who have not supported a public policy regarding energy that makes sense for all Americans, not just Exxon Mobil that last year made $32 billion, and, by the way, whose CEO who is now retired, is earning a pension, Madam Speaker, of $150,000.

I hope you heard that, Madam Speaker, $150,000. Now, you might say that is not much money. Well, it is a lot of money when you get $150,0000 every single day of the year. It is a pension that is evaluated.

Mr. MEEK of Florida. Wait. Wait. Did I hear you? Did I hear you correctly? Did you say a hundred and what a day?

Mr. DELAHUNT. One hundred fifty thousand dollars. Not every 10 years. Not every 5 years. Not every year. Not every month. But every single day as long as he lives, $150,000. The pension package, according to newspaper reports, Madam Speaker, was $600 million. That is for one person. For one person.

This is a moral issue. This is a moral issue. There are people that are having difficulty, they are working hard, but they are having difficulty making it, and yet there is a CEO who runs a corporation that earns $39 billion in a single year. And he has a pension of $600 million that provides him with $150,000 a day. Is that right, or is that wrong?

Ms. WASSERMAN SCHULTZ. In our final minute or so, I can tell you that what I learned from my constituents when I went back home is that they know that together America can do better. It does not have to be this way. We do not have to keep going. And through our efforts and the efforts of our other Democratic colleagues, our 30-something Working Group will continue to take the floor each night.

I yield to my colleague from Florida to close us out. We do have a Website.

Mr. MEEK of Florida. Well, thank you. With Mr. RYAN's absence here tonight, I keep saying that because I want him to read the Congressional RECORD and let him know that I did note that he was not here.

Housedemocrats.gov/30something. Members can go on there.

With that, Madam Speaker, we would like to thank the Democratic leadership for allowing us to have this hour.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MOORE of Wisconsin (at the request of Ms. PELOSI) for today on account of personal business.

Ms. MILLENDER-MCDONALD (at the request of Ms. PELOSI) for today on account of personal matters.

Mr. OSBORNE (at the request of Mr. BOEHNER) for today and until 3:30 p.m. on April 26 on account of official business.

Ms. ROS-LEHTINEN (at the request of Mr. BOEHNER) for today on account of a family emergency.

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:)

Mr. PALLONE, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. POE, for 5 minutes, today and April 26 and 27.

Mr. ENGLISH of Pennsylvania, for 5 minutes, April 27.

Mr. DREIER, for 5 minutes, today and April 26 and 27.

Mrs. BLACKBURN, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today and April 26 and 27.

Mr. BURTON of Indiana, for 5 minutes, today and April 26 and 27.

Mr. KENNEDY of Minnesota, for 5 minutes, today.

Mr. FITZPATRICK of Pennsylvania, for 5 minutes, today.

Mr. SHIMKUS, for 5 minutes, today.

Mr. LEACH, for 5 minutes, today.

Mr. GINGREY, for 5 minutes, today.

Mr. NUSSLE, for 5 minutes, today.

ENROLLED BILL SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. WOLF of Virginia, on April 11, 2006.

H.R. 4979. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify the preference for local firms in the award of certain contracts for disaster relief activities.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reports that on April 7, 2006, she presented to the President of the United States, for his approval, the following bills.

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

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

Karen L. Haas, Clerk of the House, reports that on April 18, 2006, she presented to the President of the United States, for his approval, the following bill.

H.R. 4979. To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify the preference for local firms in the award of certain contracts for disaster relief activities.

ADJOURNMENT

Mr. MEEK of Florida. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly at (midnight), the House adjourned until today, Wednesday April 26, 2006, at 10:00 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6925. A communication from the President of the United States, transmitting a request for FY 2007 budget amendments for the Departments of Agriculture, and State and Other International Programs; the Federal Communications Commission; and the Smithsonian Institution; (H. Doc. No. 109–97); to the Committee on Appropriations and ordered to be printed.

6926. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting reports in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

6927. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the status of consular training with respect to travel or identity documents, pursuant to Section 7201(d) of the Intelligence Reform and Terrorism Prevention Act of 2004; to the Committee on International Relations.

6928. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Selected Acquisition Reports (SARs) for the quarter ending December 31, 2005, pursuant to 10 U.S.C. 2432; to the Committee on International Relations.

6929. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-18, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Korea for defense articles and services; to the Committee on International Relations.

6930. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-22, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Australia for defense articles and services; to the Committee on International Relations.

6931. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting the annual report for FY 2005 of the Department's Bureau of Industry and Security (BIS); to the Committee on International Relations.

6932. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting a report on the President's Emergency Plan for AIDS Relief: Education, as requested in House Report 109-152, accompanying H.R. 3057; to the Committee on International Relations.

6933. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting a report on the President's Emergency Plan for AIDS Relief: Refugees and Internally Displaced Persons, as requested in House Report 109-152, accompanying H.R. 3057; to the Committee on International Relations.

6934. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the intention to obligate Fiscal Year 2006 Economic Support Funds (ESF) on behalf of the Bureau of Oceans and International Environmental and Scientific Affairs; to the Committee on International Relations.

6935. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on ''Overseas Surplus Property,'' pursuant to Public Law 105-277, section 2215; to the Committee on International Relations.

6936. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the October 15, 2005 — December 15, 2005 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998 (Pub. L. 105-338); to the Committee on International Relations.

6937. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report for 2003 on the International Atomic Energy Agency (IAEA) Activities in countries described in Section 307(a) of the Foreign Assistance Act, pursuant to Public Law 105–277, section 2809(c)(2); to the Committee on International Relations.

6938. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles and services to the Government of Iraq (Transmittal No. DDTC 072-05); to the Committee on International Relations.

6939. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification of a proposed manufacturing license agreement for the export of defense articles and services to the Governments of Canada, France and the United Kingdom (Transmittal No. DDTC 002-06); to the Committee on International Relations.

6940. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of the Egypt (Transmittal No. DDTC-58-05); to the Committee on International Relations.

6941. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification of a proposed manufacturing license agreement for the export of defense articles and services to the Government of Russia (Transmittal No. DDTC 057-05); to the Committee on International Relations.

6942. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report entitled ''Supporting Democracy and Human Rights: The U.S. Record 2005-2006,'' pursuant to Public Law 107-228, section 665; to the Committee on International Relations.

6943. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001; to the Committee on International Relations.

6944. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6945. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6946. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6947. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6948. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6949. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6950. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6951. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6952. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6953. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2006 through March 31, 2006 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 109–98); to the Committee on House Administration and ordered to be printed.

6954. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Search and Rescue Demonstration, Boston Harbor — Boston, Massachusetts [CGD01-05-093] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6955. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Ocean, Virginia Beach, VA [CGD05-05-121] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6956. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Norfolk Harbor Entrance Reach Channel, Norfolk, VA [CGD05-05-132] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6957. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Severn River and College Creek, Annapolis, Maryland [CGD05-05-133] (RIN: 1625-AA87) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6958. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kingsland Reach, James River, VA [CGD05-05-134] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6959. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kingsland Reach, James River, VA [CGD05-05-135] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6960. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kingsland Reach, James River, VA [CGD05-05-136] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6961. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Snow's Cut Channel from Cape Fear River to Intracoastal Waterway, NC [CGD05-05-500] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6962. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Chicago River, North Branch, Chicago, Illinois [CGD09-05-132] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6963. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; BID 21 Fireworks display, Milwaukee River, Milwaukee, WI [CGD09-05-133] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6964. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Magnificant Mile Festival of Lights, Chicago, IL [CGD09-05-134] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6965. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Containment Concrete Blasting, Lake Michigan, Charlevoix, MI [CGD09-05-136] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6966. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cuyahoga River, Cleveland, Ohio. West Third Street Bridge Trainsit [CGD09-05-138] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6967. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Event; Rio Vista Bass Derby Fireworks Display, San Francisco Bay and Rio Vista, CA [CGD 11-05-029] (RIN: 1625-AA08) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6968. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Ocean, Jacksonville Beach, FL [COTP Jacksonville 05-121] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6969. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Ponce De Leon Inlet and Port Canaveral, FL [COTP Jacksonville 05-144] (RIN: 1625-AA97) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6970. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; West Lake Tohopekaliga, Kissimmee, FL [COTP Jacksonville 05-160] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6971. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: St. Johns River, Jacksonville, FL [COTP Jacksonville 05-161] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6972. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Ocean, Vilano Beach, FL [COTP Jacksonville 05-169] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6973. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Florida Bay, Money Key Channel, Monroe County, FL [COTP Key West 05-136] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6974. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Bay, California [COTP San Francisco Bay 05-010] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6975. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Guayanilla Bay, Guayanilla, PR [COTP San Juan 05-157] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6976. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for Albert Whitted Air Show, Tampa Bay, FL [COTP St. Petersburg 05-119] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6977. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule — Safety Zone; Clearwater, FL [COTP St. Petersburg 05-134] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6978. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Caloosahatchee River, Cape Coral, FL [COTP St. Petersburg 05-152] (RIN: 1625-AA00) received April 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

[Omitted from the Record of April 6, 2006]

6979. A letter from the Administrator, FAA, Department of Transportation, transmitting a copy of the ''Federal Aviation Administration and National Air Traffic Controllers Association Collective Bargaining Proposal Submission to Congress,'' received April 6, 2006, pursuant to 49 U.S.C. 106(l) and 40122(a); jointly to the Committees on Transportation and Infrastructure and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on April 7, 2006]

Mr. OXLEY: Committee on Financial Services. House Resolution 718. Resolution requesting the President and directing the Secretary of Homeland Security to provide to the House of Representatives certain documents in their possession relating to the Dubai Ports World acquisition of 6 United States commercial ports leases; with amendments (Rept. 109–414). Referred to the House Calendar.

[Filed on April 7, 2006]

Mr. BOEHLERT: Committee on Science. House Resolution 717. Resolution directing the Secretary of Commerce to transmit to the House of Representatives a copy of a workforce globalization final draft report produced by the Technology Administration (Rept. 109–415). Referred to the House Calendar.

[Submitted April 25, 2006]

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 349. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. 109–416). Referred to the House Calendar.

Mr. HYDE: Committee on International Relations. H.R. 282. A bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran; with an amendment (Rept. 109–417). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3462. A bill to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, and for other purpose; with an amendment (Rept. 109–418). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2978. A bill to allow the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation to enter into a lease or other temporary conveyance of water rights recognized under the Fort Peck-Montana Compact for the purpose of meeting the water needs of the Dry Prairie Rural Water Association, Incorporated, and for other purposes (Rept. 109–419). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2563. A bill to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho, and for other purposes; with an amendment (Rept. 109–420). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 518. A bill to require the Secretary of the Interior to refine the Department of the Interior program for providing assistance for the conservation of neotropical migratory birds, with an amendment (Rept. 109–421). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 374. A bill to direct the Secretary of the Interior to take certain tribally-owned reservation land into trust for the Puyallup Tribe; with an amendment (Rept. 109–422). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 122. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water district Recycled Water System Pressurization and Expansion Project; with an amendment (Rept. 109–423). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 4912. A bill to amend section 242 of the National Housing Act to extend the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals (Rept. 109–424). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. House Joint Resolution 78. Resolution approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower (Rept. 109–425). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1307. A bill to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, and for other purposes (Rept. 109–427). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. S. 1869. A Act to reauthorize the Coastal Barrier Resources Act, and for other purposes (Rept. 109–428). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. S. 1165. An Act to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii (Rept. 109–429). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4204. A bill to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project, and for other purposes (Rept. 109–430). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3967. A bill to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes (Rept. 109–431). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4080. A bill to extend the contract for the Glendo Unit of the Missouri River Basin Project in the State of Wyoming (Rept. 109–432). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3682. A bill to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge (Rept. 109–433). Referred to the House Calendar.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. 2006 Congressional Drug Control Budget and Policy Assessment: A Review of the 2007 National Drug Control Budget and 2006 National Drug Control Strategy (Rept. 109–434). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. Updating Nuclear Security Standards: How Long Can the Department of Energy Afford to Wait? (Rept. 109–435). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. Strengthening Disease Surveillance (Rept. 109–436). Referred to the Committee of the Whole House on the State of the Union.

Mr. PUTNAM: Committee on Rules. House Resolution 774. Resolution providing for consideration of the bill (H.R. 5020) 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 (Rept. 109–438). Referred to the House Calendar.

Mr. SENSENBRENNER. Committee on the Judiciary. H.R. 4975. A bill to provide greater transparency with respect to lobbying activities, and for other purposes; with an amendment (Rept. 109–439, Pt. 1). Ordered to be printed.

Mr. EHLERS. Committee on House Administration. H.R. 4975. A bill to provide greater transparency with respect to lobbying activities, and for other purposes; (Rept. 109–439, Pt. 2). Ordered to be printed.

Mr. DREIER. Committee on Rules. H.R. 4975. A bill to provide greater transparency with respect to lobbying activities, and for other purposes; with amendments (Rept. 109–439, Pt. 3). Ordered to be printed.

Mr. TOM DAVIS of Virginia. Committee on Government Reform. H.R. 4975. A bill to provide greater transparency with respect to lobbying activities, and for other purposes; with amendments (Rept. 109–439, Pt. 4). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Standards of Official Conduct discharged from further consideration. H.R. 4975 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE 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. POMBO. Committee on Resources. S. 584. A bill to act require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park (Rept. 109–426). Referred to the Private Calendar.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. POMBO. Committee on Resources. H.R. 1595. A bill to implement the recommendations of the Guam War Claims Review Commission, with an amendment; referred to the Committee on Judiciary for a period ending not later than June 9, 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 (Rept. 109–437, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SODREL (for himself, Ms. CARSON, Mr. VISCLOSKY, Mr. BURTON of Indiana, Mr. BUYER, Mr. PENCE, Mr. CHOCOLA, Mr. HOSTETTLER, and Mr. SOUDER):

H.R. 5169. A bill to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the ''Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office''; to the Committee on Government Reform.

By Mr. SHADEGG (for himself, Mr. SIMMONS, and Mr. HOEKSTRA):

H.R. 5170. A bill to suspend temporarily the duty on ethanol; to the Committee on Ways and Means.

By Mr. HOEKSTRA (for himself, Mr. GILLMOR, Mr. MCCOTTER, Mr. ROGERS of Michigan, Mr. EHLERS, Mr. BOOZMAN, Mr. SHADEGG, Mr. CAMP of Michigan, and Mr. LATOURETTE):

H.R. 5171. A bill to amend the Public Health Service Act to provide for community projects that will reduce the number of individuals who are uninsured with respect to health care, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BLUMENAUER (for himself, Mr. FARR, Mr. PALLONE, Mr. MCDERMOTT, and Mr. CASE):

H.R. 5172. A bill to improve the effectiveness of Department of Defense programs for the remediation of unexploded ordnance on former defense sites, and for other purposes; to the Committee on Armed Services.

By Mr. BRADLEY of New Hampshire (for himself and Mr. GERLACH):

H.R. 5173. A bill to amend title XVIII of the Social Security Act to suspend the Medicare prescription drug late enrollment penalty during 2006; 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. DAVIS of California (for herself and Mr. EVANS):

H.R. 5174. A bill to amend the Higher Education Act of 1965 to prevent veterans' contributions to education benefits from reducing Federal student financial assistance; to the Committee on Education and the Workforce.

By Mr. DOGGETT (for himself and Mr. SHERMAN):

H.R. 5175. A bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to disclose taxpayer identity information through mass communications to notify persons entitled to tax refunds; to the Committee on Ways and Means.

By Mr. EMANUEL:

H.R. 5176. A bill to amend the Internal Revenue Code of 1986 to make the Federal income tax system simpler, fairer, and more fiscally responsible, and for other purposes; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. LEVIN, Mr. BAKER, and Mr. KANJORSKI):

H.R. 5177. A bill to amend the Internal Revenue Code of 1986 to allow bonds guaranteed by the Federal home loan banks to be treated as tax exempt bonds; to the Committee on Ways and Means.

By Mr. FOSSELLA (for himself and Mr. HOEKSTRA):

H.R. 5178. A bill to direct the Secretary of Homeland Security to conduct a study to identify best practices for the communication of information concerning a terrorist threat, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Intelligence (Permanent Select), 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. HALL:

H.R. 5179. A bill to amend title XVIII of the Social Security Act to ensure adequate payment amounts for drugs and biologicals under part B of the Medicare Program; 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 Mr. HAYWORTH (for himself, Mr. RENZI, Mr. GIBBONS, Mr. CALVERT, Mr. KOLBE, and Mr. PORTER):

H.R. 5180. A bill to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes; to the Committee on Resources.

By Mr. JINDAL:

H.R. 5181. A bill to amend the Federal Property and Administrative Services Act of 1949 to limit the number of, and require reporting relating to, all subcontracts under contracts with the Federal Government; to the Committee on Government Reform.

By Mr. JONES of North Carolina (for himself, Mr. BERRY, Mr. RANGEL, Mr. MORAN of Kansas, Mr. WEINER, Mr. MARSHALL, Mr. TAYLOR of Mississippi, Mr. JEFFERSON, Mr. ETHERIDGE, Mr. WICKER, Mr. ROSS, Mr. WEXLER, Mr. HOLDEN, Mr. DOYLE, Mr. MOORE of Kansas, Mr. BROWN of Ohio, Mr. ABERCROMBIE, and Mr. ALLEN):

H.R. 5182. A bill to amend title XVIII of the Social Security Act to require the sponsor of a prescription drug plan or an organization offering an MA-PD plan to promptly pay claims submitted under part D, and for other purposes; 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 Mr. KUHL of New York:

H.R. 5183. A bill to amend title II of the Social Security Act to exclude benefits of adopted disabled adult children from determinations of the family maximum; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California:

H.R. 5184. A bill to require businesses to permit customers to cancel certain subscription services in the same manner and by the same means as is provided by such person to individuals to subscribe to such service; to the Committee on Energy and Commerce.

By Mrs. MALONEY:

H.R. 5185. A bill to promote the empowerment of women in Afghanistan; to the Committee on International Relations.

By Ms. NORTON:

H.R. 5186. A bill to amend the Internal Revenue Code of 1986 to replace the expired tax benefits for the DC Zone, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Government Reform, 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. OBERSTAR (for himself and Mr. YOUNG of Alaska):

H.R. 5187. A bill to amend the John F. Kennedy Center Act to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007; to the Committee on Transportation and Infrastructure.

By Mr. SWEENEY:

H.R. 5188. A bill to amend title 18, United States Code, to strengthen enforcement of spousal court-ordered property distributions, and for other purposes; to the Committee on the Judiciary.

By Mr. SWEENEY:

H.R. 5189. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to any benefit thereunder shall continue through the month of his or her death (without affecting any other person's entitlement to benefits for that month) and that such individual's benefit shall be payable for such month only to the extent proportionate to the number of days in such month preceding the date of such individual's death; to the Committee on Ways and Means.

By Mr. TOWNS:

H.R. 5190. A bill to establish the Comprehensive Immigration Reform Commission; to the Committee on the Judiciary.

By Mr. WEINER:

H.R. 5191. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to require, as a condition of receiving a homeland security grant, that a grant recipient submit reports on each expenditure made using grant funds; to the Committee on Homeland Security.

By Mrs. WILSON of New Mexico:

H.R. 5192. A bill to authorize the Secretary of the Interior to make available cost-shared grants and enter into cooperative agreements to further the goals of the Water 2025 Program by improving water conservation, efficiency, and management in the Reclamation States, and for other purposes; to the Committee on Resources.

By Mrs. WILSON of New Mexico:

H.R. 5193. A bill to amend titles XVIII and XIX of the Social Security Act to provide for continuity of Medicare prescription drug coverage for full-benefit dual eligible individuals, for Medicare prescription drug coverage of benzodiazepines and off-label uses of certain prescription drugs and biological products, for optional Medicaid coverage of Medicare prescription drug cost-sharing for full-benefit dual eligible individuals, for authorization to the Secretary of Health and Human Services to waive certain determinations denying Medicare prescription drug coverage, and for holding pharmacies harmless for certain costs incurred during implementation of Medicare part D; 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 Mr. WOLF (for himself, Mr. MORAN of Virginia, Mrs. JO ANN DAVIS of Virginia, Mr. FORBES, Mrs. DRAKE, Mr. SCOTT of Virginia, Mr. GOODE, Mr. GOODLATTE, Mr. CANTOR, Mr. BOUCHER, and Mr. TOM DAVIS of Virginia):

H.R. 5194. A bill to designate the facility of the United States Postal Service located at 8801 Sudley Road in Manassas, Virginia, as the ''Harry J. Parrish Post Office Building''; to the Committee on Government Reform.

By Mr. WOLF (for himself, Mr. GOODE, Mrs. CAPITO, Mr. PLATTS, Mr. TOM DAVIS of Virginia, Mrs. JO ANN DAVIS of Virginia, Mr. SCOTT of Virginia, and Mr. BOUCHER):

H.R. 5195. A bill to establish the Journey Through Hallowed Ground National Heritage Area, and for other purposes; to the Committee on Resources.

By Mr. CASTLE:

H. Con. Res. 389. Concurrent resolution amending the Rules of the House of Representatives and the Standing Rules of the Senate to require the full payment and disclosure of charter flights provided to Members of Congress; to the Committee on Rules.

By Mr. DAVIS of Kentucky (for himself and Mr. SODREL):

H. Res. 772. A resolution amending the Rules of the House of Representatives to require the Committee on Standards of Official Conduct to provide regular ethics training for Members, Delegates, and the Resident Commissioner; to the Committee on Rules.

By Mr. SESSIONS (for himself, Mr. LEWIS of Georgia, and Mr. DREIER):

H. Res. 773. A resolution commending the American Jewish Committee for its century of leadership, and for other purposes; to the Committee on Government Reform.

By Mr. BURTON of Indiana (for himself, Mr. BARTLETT of Maryland, Mr. MEEKS of New York, and Mr. LANTOS):

H. Res. 775. A resolution commending the Community of Sant'Egidio for their extensive charity and generosity on behalf of the poor throughout the world; to the Committee on International Relations.

By Mr. HEFLEY:

H. Res. 776. A resolution supporting the observance of a ''National Day of the American Cowboy''; to the Committee on Government Reform.

By Mr. MEEK of Florida:

H. Res. 777. A resolution expressing the sense of the House of Representatives, in recognition of the contributions of the Haitian people to the history and culture of the United States, by establishing ''Haitian-American Heritage Month''; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. GALLEGLY and Mr. FITZPATRICK of Pennsylvania.

H.R. 97: Mr. POMEROY and Mr. MILLER of Florida.

H.R. 147: Mr. KENNEDY of Minnesota and Mr. COLE of Oklahoma.

H.R. 198: Ms. CORRINE BROWN of Florida, Mr. COOPER, Mr. EMANUEL, and Mr. SIMMONS.

H.R. 282: Ms. BORDALLO, Mr. GARY G. MILLER of California, Mr. TOM DAVIS of Virginia, Mr. YOUNG of Alaska and Ms. WATSON.

H.R. 303: Mr. ORTIZ.

H.R. 333: Mr. FILNER.

H.R. 354: Mr. LEWIS of Georgia and Mr. WAMP.

H.R. 356: Mr. MCKEON.

H.R. 363: Mr. HINCHEY.

H.R. 378: Mr. SERRANO, Mr. RANGEL, and Ms. LEE.

H.R. 521: Mr. DAVIS of Kentucky.

H.R. 533: Ms. PELOSI.

H.R. 550: Ms. ROYBAL-ALLARD, Ms. PELOSI, Mr. LEACH, Ms. MATSUI, Mr. LAHOOD, Mr. CHANDLER, Mr. LYNCH, Mr. HOLDEN, Mr. GERLACH, and Mr. AL GREEN of Texas.

H.R. 552: Mr. BOUSTANY and Mrs. CUBIN.

H.R. 558: Mr. FILNER.

H.R. 559: Ms. SOLIS, Mr. HINCHEY, and Mr. HONDA.

H.R. 583: Mr. BRADY of Pennsylvania, Mr. DENT, Mr. DAVIS of Tennessee, and Mr. GREEN of Wisconsin.

H.R. 602: Mr. LEVIN and Mr. MARKEY.

H.R. 662: Ms. JACKSON-LEE of Texas and Mr. KUCINICH.

H.R. 663: Mr. DAVIS of Illinois, Ms. WATERS, Mrs. CHRISTENSEN, and Ms. MOORE of Wisconsin.

H.R. 697: Mr. PAYNE.

H.R. 808: Mrs. WILSON of New Mexico.

H.R. 874: Mr. SIMPSON, Mr. SHAW, Mr. HOSTETTLER, Mr. COLE of Oklahoma, and Mr. MILLER of Florida.

H.R. 917: Mr. BOSWELL.

H.R. 926: Mr. GENE GREEN of Texas.

H.R. 939: Mr. LANTOS and Ms. PELOSI.

H.R. 964: Ms. MCCOLLUM of Minnesota.

H.R. 987: Mrs. CAPITO and Mr. MOORE of Kansas.

H.R. 994: Mr. OSBORNE, Mr. GUTKNECHT, Mr. SALAZAR, Ms. MOORE of Wisconsin, Mr. ISTOOK, Mr. LATOURETTE, and Mr. WICKER.

H.R. 998: Mr. ISTOOK, Mr. CHANDLER, and Mr. WAMP.

H.R. 1002: Mr. LEWIS of Kentucky and Mrs. DRAKE.

H.R. 1059: Mrs. DAVIS of California.

H.R. 1079: Mr. CULBERSON and Mr. RAHALL.

H.R. 1105: Mr. FORD.

H.R. 1131: Mr. HOEKSTRA, Mr. DAVIS of Kentucky, Mr. OBERSTAR, and Mr. FRANK of Massachusetts.

H.R. 1172: Mr. SMITH of Washington and Mr. CAPUANO.

H.R. 1175: Mrs. CAPITO, Ms. BALDWIN, and Mr. GOODLATTE.

H.R. 1188: Mr. BISHOP of Georgia, Mr. BACA, and Ms. CARSON.

H.R. 1227: Mr. FITZPATRICK of Pennsylvania, Mr. PASTOR, Mr. GERLACH, Ms. BEAN, Mr. SIMMONS, Mr. OBEY, and Mr. CASTLE.

H.R. 1245: Mr. SABO, Mr. YOUNG of Florida, Mr. PASTOR, Mr. DAVIS of Tennessee, and Mr. GERLACH.

H.R. 1352: Mr. TOWNS.

H.R. 1356: Mr. RUSH, Mr. SCOTT of Virginia, and Mr. KIRK.

H.R. 1364: Mr. CONYERS.

H.R. 1415: Ms. DEGETTE and Mr. KUCINICH.

H.R. 1426: Mr. MILLER of North Carolina.

H.R. 1431: Mr. EVANS and Mr. ABERCROMBIE.

H.R. 1432: Ms. JACKSON-LEE of Texas and Mr. MOORE of Kansas.

H.R. 1433: Ms. JACKSON-LEE of Texas and Mr. MOORE of Kansas.

H.R. 1462: Mr. FILNER.

H.R. 1498: Mr. MELANCON and Mr. WELDON of Pennsylvania.

H.R. 1514: Mr. REICHERT.

H.R. 1548: Mr. BOEHLERT, Ms. MILLENDER-MCDONALD, Mrs. MUSGRAVE, Mrs. BLACKBURN, Mr. FORTUÑO, Mrs. DAVIS of California, Mr. BONNER, Mr. DICKS, Mr. LIPINSKI, Mr. SHAW, Mr. CHANDLER, Mr. CONYERS, Mr. MCCOTTER, Mr. CALVERT, Mr. WOLF, Mr. LANTOS, Mr. LYNCH, and Mr. SMITH of New Jersey.

H.R. 1554: Mr. MCGOVERN and Mr. NEAL of Massachusetts.

H.R. 1578: Mr. SMITH of New Jersey, Mr. MURTHA, Mr. BISHOP of Georgia, Mr. SMITH of Texas, Mrs. BLACKBURN, and Mr. BISHOP of Utah.

H.R. 1582: Ms. DEGETTE and Mr. JINDAL.

H.R. 1591: Mr. STRICKLAND.

H.R. 1595: Mrs. DAVIS of California, Mr. BARTLETT of Maryland, Mr. AKIN, Mr. KOLBE, Mr. HEFLEY, Ms. PELOSI, and Mr. INSLEE.

H.R. 1633: Mr. SIMMONS.

H.R. 1671: Mr. GINGREY.

H.R. 1687: Mr. ETHERIDGE, Mr. SCHIFF, Ms. MILLENDER-MCDONALD, Mrs. CHRISTENSEN, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. ESHOO.

H.R. 1696: Mr. SMITH of New Jersey and Mr. GERLACH.

H.R. 1707: Mr. SANDERS and Mr. RANGEL.

H.R. 1708: Mr. PAUL, Mr. SESSIONS, Mr. ENGEL, and Mrs. NAPOLITANO.

H.R. 1951: Ms. SCHWARTZ of Pennsylvania, Ms. BORDALLO, Mr. CHANDLER, Mr. BROWN of South Carolina, and Mr. FOSSELLA.

H.R. 2043: Mr. BOUCHER.

H.R. 2076: Mr. ROSS.

H.R. 2088: Mr. BARROW.

H.R. 2177: Mr. TOM DAVIS of Virginia and Mr. UDALL of Colorado.

H.R. 2230: Mr. MOORE of Kansas and Mr. FILNER.

H.R. 2231: Ms. DEGETTE, Mrs. BONO, Mr. DENT, Mr. SMITH of New Jersey, and Mr. DINGELL.

H.R. 2238: Mr. COLE of Oklahoma.

H.R. 2328: Mr. FILNER, Mr. LAHOOD, Ms. BALDWIN, Mr. MCCOTTER, Mr. CLEAVER, Mr. SWEENEY, and Mr. KING of New York.

H.R. 2350: Mrs. EMERSON.

H.R. 2353: Mr. ADERHOLT.

H.R. 2357: Mr. HINOJOSA.

H.R. 2369: Mr. ORTIZ, Mr. HERGER, Ms. WATERS, and Mr. CAMPBELL of California.

H.R. 2390: Mr. FOSSELLA.

H.R. 2421: Mrs. MALONEY, Mr. CARDIN, Mr. MARKEY, Mr. MEEK of Florida, Mr. EHLERS, Mr. OLVER, Mr. BROWN of Ohio, and Mr. GERLACH.

H.R. 2429: Mr. OBERSTAR.

H.R. 2456: Ms. MOORE of Wisconsin.

H.R. 2561: Miss MCMORRIS and Ms. HERSETH.

H.R. 2567: Mrs. NORTHUP and Mr. WELDON of Pennsylvania.

H.R. 2568: Mr. GOODE.

H.R. 2662: Ms. MATSUI.

H.R. 2669: Mr. DAVIS of Kentucky.

H.R. 2684: Mr. DOYLE.

H.R. 2716: Mr. GERLACH and Mr. ALLEN.

H.R. 2736: Mr. RAHALL.

H.R. 2793: Mr. COSTELLO and Mr. ENGLISH of Pennsylvania.

H.R. 2813: Mr. WEINER.

H.R. 2842: Mr. BRADLEY of New Hampshire.

H.R. 2861: Mr. SPRATT.

H.R. 2928: Mr. FATTAH and Mr. SCOTT of Georgia.

H.R. 2943: Mr. GERLACH and Mr. GRIJALVA.

H.R. 2960: Mr. MEEHAN.

H.R. 3151: Mr. LANGEVIN.

H.R. 3155: Ms. NORTON, Mr. WEXLER, and Ms. MILLENDER-MCDONALD.

H.R. 3164: Mr. MANZULLO.

H.R. 3312: Ms. SCHWARTZ of Pennsylvania.

H.R. 3352: Mr. WAMP.

H.R. 3380: Mr. SANDERS.

H.R. 3436: Mr. BARROW.

H.R. 3442: Mr. BAIRD.

H.R. 3476: Mr. STRICKLAND, Mr. HINCHEY, Ms. NORTON, Ms. KAPTUR, Ms. BALDWIN, Mr. CLAY, Mr. ABERCROMBIE, Mr. TOWNS, Mr. BURGESS, Mr. REYES, Mr. FARR, Mr. DINGELL, Mr. GREEN of Wisconsin, and Mr. WEXLER.

H.R. 3568: Ms. BORDALLO.

H.R. 3576: Mr. KUCINICH, Mr. FATTAH, and Mr. HINOJOSA.

H.R. 3612: Mr. TERRY.

H.R. 3614: Ms. HARRIS and Mr. CUELLAR.

H.R. 3623: Mr. CHABOT.

H.R. 3628: Mr. CASE, Mr. KENNEDY of Rhode Island, Mr. EMANUEL, and Mr. CUMMINGS.

H.R. 3656: Mr. LARSON of Connecticut.

H.R. 3689: Mr. MOORE of Kansas, Mr. TOWNS, Mr. FILNER, Mr. CONYERS, and Ms. ZOE LOFGREN of California.

H.R. 3701: Ms. MCKINNEY and Mr. SERRANO.
H.R. 3712: Mr. GRIJALVA, Mr. PAYNE, and Mr. CONYERS.
H.R. 3715: Mr. BARROW.
H.R. 3753: Mr. JINDAL.
H.R. 3762: Mr. BLUMENAUER, Ms. MATSUI, Mr. MORAN of Virginia, and Mr. ABERCROMBIE.
H.R. 3778: Mr. PAYNE and Mrs. TAUSCHER.
H.R. 3780: Mr. PALLONE.
H.R. 3854: Mrs. JOHNSON of Connecticut.
H.R. 3858: Mr. SCHIFF, Mr. MARIO DIAZ-BALART of Florida, Mr. ROTHMAN, Mr. DICKS, Mrs. TAUSCHER, Mr. PLATTS, Mr. FERGUSON, and Mrs. KELLY.
H.R. 3859: Mrs. KELLY.
H.R. 3861: Mr. ENGEL.
H.R. 3883: Mr. SHUSTER.
H.R. 3933: Mr. REICHERT.
H.R. 3936: Ms. LORETTA SANCHEZ of California, Mr. LARSON of Connecticut,
Mr. STRICKLAND, Mr. DAVIS of Alabama, Mr. REYES, Ms. Linda T. Sánchez of California, Mr. ACKERMAN, Mr. PAYNE, Mr. GORDON, Ms. WATSON, Ms. HOOLEY, Mr. GEORGE MILLER of California, and Ms. KILPATRICK of Michigan.
H.R. 3949: Mr. BONNER, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STRICKLAND, Mr. RYAN of Ohio, Mr. DAVIS of Kentucky, Mr. FRANK of Massachusetts, and Mr. PRICE of North Carolina.
H.R. 3957: Mr. CHABOT.
H.R. 4025: Mr. LAHOOD, Mr. SANDERS, Ms. MILLENDER-MCDONALD, Ms. BORDALLO, and Mr. HINOJOSA.
H.R. 4042: Mr. OTTER.
H.R. 4049: Mr. ABERCROMBIE, Mr. CONYERS, Mr. ENGLISH of Pennsylvania, and Mr. MCKEON.
H.R. 4062: Mr. LANGEVIN.
H.R. 4063: Mr. LARSEN of Washington and Ms. MCCOLLUM of Minnesota.
H.R. 4098: Mr. MORAN of Kansas, Mr. GERLACH, Mr. SULLIVAN, Ms. KILPATRICK of Michigan, and Mr. SMITH of Washington.
H.R. 4126: Mrs. JO ANN DAVIS of Virginia.
H.R. 4188: Ms. CARSON, Mr. BERMAN, Mr. MCDERMOTT, Mr. DELAHUNT, Mr. WAXMAN, Mr. LYNCH, Ms. SLAUGHTER, Mr. STARK, Mr. WEXLER, Mr. MCGOVERN, and Mr. BROWN of Ohio.
H.R. 4217: Mr. WHITFIELD, Mr. GREEN of Wisconsin, Mrs. Drake, Mr. LATOURETTE, and Mr. CARTER.
H.R. 4222: Ms. LEE and Ms. BALDWIN.
H.R. 4229: Mr. MILLER of North Carolina.
H.R. 4236: Mr. MOORE of Kansas and Mr. BOSWELL.
H.R. 4259: Mr. SCHWARZ of Michigan, and Ms. BORDALLO.
H.R. 4341: Mr. CHOCOLA, Mrs. BLACKBURN, and Mr. BUYER.
H.R. 4361: Mr. CUMMINGS.
H.R. 4371: Mr. CUELLAR and Ms. MCKINNEY.
H.R. 4384: Mrs. MALONEY.
H.R. 4398: Mr. MOORE of Kansas.
H.R. 4399: Mr. PORTER and Mr. SWEENEY.
H.R. 4409: Mr. ROGERS of Alabama, Mr. MORAN of Virginia, Mrs. BONO, Ms. PRYCE of Ohio, and Mr. BONNER.
H.R. 4424: Mr. HOYER and Mr. SCOTT of Georgia.
H.R. 4463: Mr. KUCINICH.
H.R. 4474: Mr. CARDIN.
H.R. 4479: Mrs. MALONEY, Mr. UDALL of Colorado, Mr. WEINER, Mr. WEXLER, Mr. LEVIN, Mr. DOYLE, Mr. GUTIERREZ, Mrs. MCCARTHY, Mr. LYNCH, Ms. SOLIS, Mr. OLVER; Mr. GEORGE MILLER of California, Ms. MATSUI, and Mr. SCOTT of Virginia.
H.R. 4493: Mr. REYES.
H.R. 4511: Ms. HART.
H.R. 4542: Mr. SCHWARZ of Michigan, Mr. EDWARDS, Mr. KUHL of New York, Mr. FARR, Mr. PRICE of North Carolina, and Mr. REYES.
H.R. 4547: Mrs. CUBIN, Mr. BARROW, and Mr. DAVIS of Tennessee.
H.R. 4550: Mr. FORTUÑO, Ms. ROS-LEHTINEN, Mr. SHERWOOD, Ms. VELÁZQUEZ, Mr. RAHALL, Mrs. CAPPS, Mr. SCHIFF, Mr. GRIJALVA, and Ms. ZOE LOFGREN of California.
H.R. 4574: Mr. MILLER of Florida and Ms. LINDA T. SÁNCHEZ of California.
H.R. 4582: Mr. DEFAZIO.
H.R. 4597: Mr. MOORE of Kansas.
H.R. 4600: Mr. SERRANO, Mr. CLEAVER, Mr. RUSH, Mr. OWENS, Mr. CONYERS, Mr. GRIJALVA, and Mr. FATTAH.
H.R. 4606: Mr. MCDERMOTT.
H.R. 4619: Mr. CROWLEY.
H.R. 4621: Mr. PORTER.
H.R. 4624: Mr. MEEKS of New York.
H.R. 4629: Mr. KUCINICH.
H.R. 4650: Mr. JINDAL, Mr. MURPHY, and Mr. FORD.
H.R. 4651: Ms. LEE, Mr. MOORE of Kansas, Mr. HOLT, and Ms. SCHAKOWSKY.
H.R. 4662: Mr. KENNEDY of Minnesota.
H.R. 4665: Mr. HINOJOSA.
H.R. 4666: Mrs. JOHNSON of Connecticut.
H.R. 4668: Mr. GOODLATTE.
H.R. 4672: Mr. LEWIS of Kentucky.
H.R. 4677: Mr. ADERHOLT.
H.R. 4695: Mr. CHANDLER, Mr. HOLT, and Ms. WOOLSEY.
H.R. 4696: Mr. ADERHOLT.
H.R. 4704: Mrs. JONES of Ohio and Mr. BACA.
H.R. 4705: Mr. OWENS, Mr. BISHOP of New York, Mr. JEFFERSON, and Mrs. KELLY.
H.R. 4710: Mrs. MYRICK, Mr. ABERCROMBIE, and Mr. JEFFERSON.
H.R. 4727: Mr. STRICKLAND, Mr. DELAHUNT, and Mr. ROSS.
H.R. 4730: Mr. CARTER, Mr. DAVIS of Kentucky, Mr. ROGERS of Kentucky, Mr. WAMP, Mr. WILSON of South Carolina, Mr. WHITFIELD, Mr. GIBBONS, and Mr. MILLER of Florida.
H.R. 4739: Mr. MORAN of Virginia and Mr. JEFFERSON.
H.R. 4740: Mr. PLATTS.
H.R. 4747: Mr. TERRY, Ms. BALDWIN, Mr. WEXLER, Mr. BROWN of Ohio, Ms. ESHOO, and Mr. PRICE of North Carolina.
H.R. 4749: Mr. BLUMENAUER, Mr. MEEHAN, Mr. STUPAK, and Mr. CONYERS.
H.R. 4753: Mr. BROWN of Ohio, Mr. BROWN of South Carolina, and Mr. JEFFERSON.
H.R. 4755: Mr. DINGELL, Mr. BERMAN, Mr. MCINTYRE, Mr. HINCHEY, Mr. SCHWARZ of Michigan, Mr. FRANK of Massachusetts, Mr. BARROW, Mr. CASE, Mr. SNYDER, Mr. REYES, Mr. MILLER of North Carolina, Mr. BRADY of Pennsylvania, Mr. REHBERG, Mr. BECERRA, Ms. WATERS, Mr. MCCAUL of Texas, Mr. CLYBURN, Mr. THOMPSON of California, Ms. SCHAKOWSKY, Mr. HINOJOSA, Mr. MURPHY, Mr. BOREN, Mr. LARSON of Connecticut, Ms. SOLIS, Mr. SHERMAN, Ms. LORETTA SANCHEZ of California, Mr. PLATTS, Mr. MEEHAN, Mr. SCOTT of Virginia, Mrs. LOWEY, Mr. SHAYS, and Mr. COLE of Oklahoma.
H.R. 4761: Ms. PRYCE of Ohio, Mr. TAYLOR of Mississippi, Mr. BUYER, Mrs. CAPITO, and Mr. BARRETT of South Carolina.
H.R. 4769: Mr. FATTAH, Mr. CASE, Mrs. BONO, and Mr. ROGERS of Michigan.
H.R. 4772: Mr. BROWN of South Carolina.
H.R. 4774: Ms. BEAN.
H.R. 4794: Mr. MOORE of Kansas, Mr. ABERCROMBIE, Mr. FATTAH, Mr. GRIJALVA, Mr. WYNN, Mr. FILNER, Mr. KUCINICH, and Ms. ZOE LOFGREN of California.
H.R. 4806: Mr. MCCOTTER.
H.R. 4808: Mr. HAYES, Mr. BUTTERFIELD, and Mr. MARSHALL.
H.R. 4809: Mr. TIBERI.
H.R. 4824: Mr. JEFFERSON, Mr. EMANUEL, Mr. POMEROY, and Mr. ENGEL.
H.R. 4838: Mr. FEENEY.
H.R. 4843: Mr. CAMPBELL of California.
H.R. 4854: Mr. BISHOP of Georgia and Mr. ENGLISH of Pennsylvania.
H.R. 4860: Mr. BRADY of Pennsylvania and Mr. CARNAHAN.
H.R. 4861: Mr. TERRY.
H.R. 4873: Mr. FORD.
H.R. 4894: Mr. WILSON of South Carolina, Mr. MCKEON, Mr. SHAYS, Mr. REICHERT, Mrs. MILLER of Michigan, and Mr. CAMPBELL of California.
H.R. 4897: Mr. MCHUGH and Mr. HINOJOSA.
H.R. 4902: Mr. ETHERIDGE, Mr. HIGGINS, Mr. DINGELL, Mr. REICHERT, Mr. MELANCON, Mrs. EMERSON, Mr. BOREN, Mr. EVERETT, Mr. CLYBURN, and Mr. GALLEGLY.
H.R. 4903: Mr. BROWN of Ohio.
H.R. 4922: Mr. CARTER and Mr. ENGLISH of Pennsylvania.
H.R. 4937: Mr. REICHERT and Mr. CUELLAR.
H.R. 4948: Mr. BAIRD.
H.R. 4949: Mr. MORAN of Virginia, Mr. LAHOOD, Mr. SHERMAN, Ms. ZOE LOFGREN of California, Mr. SCHIFF, Mr. BURGESS, Mr. LANTOS, Mr. BOUSTANY, Mr. MEEHAN, and Mr. PAUL.
H.R. 4956: Mr. ENGLISH of Pennsylvania.
H.R. 4959: Mrs. CAPITO.
H.R. 4960: Mr. SESSIONS.
H.R. 4962: Mr. NADLER and Mr. ENGEL.
H.R. 4963: Mr. CONYERS, Mr. HOSTETTLER, Mr. RAMSTAD, Mr. OWENS, Mr. DAVIS of Illinois, Mr. ROTHMAN, Mr. FATTAH, Mr. DEFAZIO, Mr. TOWNS, Mrs. MCCARTHY, Mr. PORTER, and Mr. CLAY.
H.R. 4974: Mr. CROWLEY, Mr. KNOLLENBERG, Ms. GRANGER, Mr. WILSON of South Carolina, Mr. ENGEL, Mr. WESTMORELAND, and Mr. ACKERMAN.
H.R. 4992: Mr. FILNER and Mr. RAHALL.
H.R. 4993: Ms. LEE, Mr. MCCOTTER, Mr. GENE GREEN of Texas, and Ms. SCHWARTZ of Pennsylvania.
H.R. 5005: Mr. MCCOTTER, Mr. WILSON of South Carolina, Mr. KING of Iowa, Mr. NORWOOD, Mr. BRADLEY of New Hampshire, Mr. SOUDER, Mr. SHUSTER, Mr. PETERSON of Minnesota, and Mr. GORDON.
H.R. 5010: Mrs. CUBIN.
H.R. 5013: Mr. SCHWARZ of Michigan, Mr. HAYES, Mr. ADERHOLT, Mr. MCHENRY, Mr. DINGELL, Mr. WESTMORELAND, Mr. SODREL, and Mr. RAHALL.
H.R. 5033: Mr. VAN HOLLEN, Mrs. MCCARTHY, Ms. WASSERMAN SCHULTZ, Mr. PAYNE, and Mr. WEXLER.
H.R. 5036: Mr. FLAKE.
H.R. 5037: Mr. BARRETT of South Carolina, Mrs. LOWEY, Mr. REYNOLDS, Mr. SENSENBRENNER, Mr. BRADLEY of New Hampshire, Mr. HASTERT, Mr. LANTOS, Mr. ACKERMAN, Mr. WAMP, Mr. LANGEVIN, Ms. LINDA T. SÁNCHEZ of California, Ms. PRYCE of Ohio, Mr. MARSHALL, Mr. BRADY of Pennsylvania, Miss MCMORRIS, Mr. FITZPATRICK of Pennsylvania, Mr. CARTER, Mr. STEARNS, Mr. SMITH of Washington, Mr. HOEKSTRA, Mr. AL GREEN of Texas, Mr. UDALL of Colorado, Mr. BARTLETT of Maryland, Mr. CASE, Mr. BOREN, Mr. MARCHANT, Mr. WILSON of South Carolina, Mr. MARIO DIAZ-BALART of Florida, Mr. CALVERT, Mr. BOUSTANY, Mr. GORDON, Ms. SCHAKOWSKY, Mr. DINGELL, Mr. BLUNT, Mr. DOOLITTLE, Mr. BONNER, and Mr. RAHALL.
H.R. 5039: Mr. CUELLAR.
H.R. 5050: Mr. WESTMORELAND, Mr. BLUNT, and Mr. ROGERS of Alabama.
H.R. 5051: Mr. BOEHLERT, Mr. LAHOOD, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. HINCHEY, Mr. KIRK, Mr. SCHIFF, and Mr. CUMMINGS.
H.R. 5055: Mrs. BONO.
H.R. 5056: Mr. KIRK.
H.R. 5063: Ms. DELAURO, Mr. MCGOVERN, Mr. PASTOR, Mr. BISHOP of Georgia, Mr. LIPINSKI, and Mr. VAN HOLLEN.
H.R. 5065: Mrs. LOWEY.
H.R. 5069: Mr. CARDIN.
H.R. 5075: Mr. ABERCROMBIE.
H.R. 5081: Mrs. DAVIS of California, Mr. BOOZMAN, Ms. BORDALLO, and Mr. Gallegly.
H.R. 5099: Mr. FILNER, Mr. DAVIS of Alabama, Ms. MCCOLLUM of Minnesota, Mr.

LEACH, Mr. CLEAVER, Ms. DELAURO, and Mr. REHBERG.

H.R. 5113: Mr. KILDEE, Ms. CARSON, Mr. VISCLOSKY, Ms. KAPTUR, Mr. BROWN of Ohio, Mr. GRIJALVA, Mr. KUCINICH, Ms. SCHAKOWSKY, Mr. PAYNE, Mr. FARR, Mr. DELAHUNT, Mr. STRICKLAND, Ms. LEE, Mr. LEWIS of Georgia, and Mr. THOMPSON of Mississippi.

H.R. 5118: Mr. NORWOOD, Mrs. CUBIN, Mr. PICKERING, and Mr. MCNULTY.

H.R. 5119: Mr. MCINTYRE.

H.R. 5129: Mr. MCCOTTER, Mrs. BLACKBURN, Mr. ISTOOK, and Mr. CONAWAY.

H.R. 5134: Mr. TANNER, Ms. SCHAKOWSKY, Mr. REYES, Mr. HINCHEY, Mr. JEFFERSON, Mr. GERLACH, and Mr. SHUSTER.

H.R. 5136: Mr. BOEHLERT, Mr. BURGESS, Mr. BOREN, Mr. CONAWAY, and Mr. HINOJOSA.

H.R. 5137: Mr. PAYNE and Mr. GRIJALVA.

H.R. 5150: Mr. SCOTT of Virginia and Mr. RYAN of Ohio.

H.R. 5159: Mr. HOLT, Mrs. MUSGRAVE, Mr. MURPHY, Mr. FORD, Mr. HONDA, Mr. KIRK, Mr. BROWN of South Carolina, Ms. FOXX, Mr. CARTER, Mr. MILLER of Florida, and Mr. PETERSON of Minnesota.

H.R. 5160: Mr. LARSON of Connecticut, Mr. MCNULTY, and Mr. SWEENEY.

H.R. 5166: Mr. WEXLER, Mr. ENGLISH of Pennsylvania, Mr. WILSON of South Carolina, Mr. ETHERIDGE, Mr. CUELLAR, Mr. HAYES, Mr. ROGERS of Alabama, Mr. SHUSTER, Mr. ALEXANDER, Mr. MILLER of Florida, Mr. MCHUGH, Mr. BOEHLERT, Mr. RAHALL, Mr. COBLE, Mr. RENZI, Mr. GIBBONS, Mr. PORTER, Mr. DENT, Mr. PITTS, Mr. BAIRD, Mr. BISHOP of Georgia, Mr. JACKSON of Illinois, Mr. GENE GREEN of Texas, Mr. ROSS, Mr. FARR, Mr. DAVIS of Tennessee, Mr. SERRANO, Mr. WYNN, Mr. RUSH, Ms. JACKSON-LEE of Texas, Ms. WOOLSEY, Mrs. TAUSCHER, and Mrs. MCCARTHY.

H. Con. Res. 10: Mr. BERRY.

H. Con. Res. 42: Mr. BERRY and Mr. CARTER.

H. Con. Res. 85: Mr. SHAYS.

H. Con. Res. 106: Mr. STRICKLAND.

H. Con. Res. 137: Mr. ROTHMAN.

H. Con. Res. 219: Mr. FRANK of Massachusetts.

H. Con. Res. 231: Mr. EMANUEL, Ms. LINDA T. SÁNCHEZ of California, Mr. SHAYS, and Ms. ZOE LOFGREN of California.

H. Con. Res. 234: Mr. EVANS, Mr. FRANK of Massachusetts, Mr. NADLER, Mr. MCGOVERN, Mr. MARKEY, and Ms. WOOLSEY.

H. Con. Res. 235: Ms. KAPTUR.

H. Con. Res. 282: Mr. CUMMINGS.

H. Con. Res. 306: Ms. SCHAKOWSKY.

H. Con. Res. 340: Mr. CAPUANO, Mr. SCOTT of Georgia, Mr. WAXMAN, Mr. LARSEN of Washington, and Mr. BISHOP of Georgia.

H. Con. Res. 346: Mr. GONZALEZ, Mr. HENSARLING, Mr. TOM DAVIS of Virginia, Mr. ANDREWS, and Ms. ROS-LEHTINEN.

H. Con. Res. 348: Ms. SCHAKOWSKY.

H. Con. Res. 357: Mr. MCDERMOTT.

H. Con. Res. 363: Mr. DOGGETT, Mr. HOLT, and Mr. TERRY.

H. Con. Res. 368: Mr. COSTA, Mr. FATTAH, Mr. BASS, Mr. HOLDEN, Mr. WELDON of Pennsylvania, Mr. KANJORSKI, Mr. SHERWOOD, Mr. WOLF, Mr. PICKERING, Ms. HART, Mr. JEFFERSON, Mr. PALLONE, Ms. HARRIS, Mr. PITTS, Mr. GRIJALVA, and Mr. CONAWAY.

H. Con. Res. 378: Mr. MCHUGH, Ms. GINNY BROWN-WAITE of Florida, Mr. HOLT, Ms. JACKSON-LEE of Texas, Mr. FALEOMAVAEGA, Mr. PAYNE, Mr. BISHOP of Georgia, Mr. HINOJOSA, Mr. HOLDEN, Mr. SHADEGG, Mr. GRIJALVA, Mrs. TAUSCHER, and Mr. SMITH of New Jersey.

H. Con. Res. 380: Mr. VAN HOLLEN and Mr. MANZULLO.

H. Con. Res. 388: Mr. CROWLEY and Mr. WOLF.

H. Res. 67: Mr. MOORE of Kansas.

H. Res. 222: Mr. GRIJALVA and Mr. ENGLISH of Pennsylvania.

H. Res. 299: Mr. ROSS.

H. Res. 305: Mr. SNYDER.

H. Res. 316: Mr. CLEAVER.

H. Res. 335: Mr. LARSON of Connecticut.

H. Res. 498: Mr. JOHNSON of Illinois, Mrs. MALONEY, Mr. GORDON, and Mrs. JONES of Ohio.

H. Res. 521: Mr. TAYLOR of North Carolina, Mr. DUNCAN, Mr. RANGEL, Ms. ZOE LOFGREN of California, Mr. CAPUANO, and Mr. RAHALL.

H. Res. 526: Mr. LANGEVIN and Mr. BISHOP of Georgia.

H. Res. 600: Mrs. CHRISTENSEN, Mr. BISHOP of Georgia, Mr. MEEKS of New York, and Mr. WEXLER.

H. Res. 636: Mr. FILNER.

H. Res. 637: Mr. FILNER.

H. Res. 638: Ms. LINDA T. SÁNCHEZ of California, Mr. CUMMINGS, Mr. DICKS, Mr. CONYERS, and Ms. NORTON.

H. Res. 699: Mrs. MCCARTHY.

H. Res. 701: Mr. TERRY, Mr. FEENEY, and Mr. GREEN of Wisconsin.

H. Res. 722: Mr. MURTHA.

H. Res. 723: Ms. SCHAKOWSKY, Mr. DOYLE, Mr. FATTAH, Mr. FORD, Mrs. CAPPS, Mr. MEEK of Florida, Mr. BISHOP of Georgia, Ms. KILPATRICK of Michigan, and Mr. OBERSTAR.

H. Res. 727: Mr. MCNULTY, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Mr. HINCHEY, Mr. CONYERS, Mr. MCDERMOTT, Ms. MILLENDER-MCDONALD, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia, Mr. BERMAN, Ms. WASSERMAN SCHULTZ, Mr. MEEHAN, and Ms. DELAURO.

H. Res. 729: Mr. MARIO DIAZ-BALART of Florida, Ms. LEE, and Mr. DAVIS of Illinois.

H. Res. 739: Mr. OXLEY.

H. Res. 740: Mr. ACKERMAN.

H. Res. 745: Mrs. MYRICK, Mr. PAYNE, Mr. BROWN of Ohio, Mr. MCCOTTER, Mr. WOLF, Mr. WAXMAN, Mr. BURTON of Indiana, Mr. SMITH of Washington, Ms. JACKSON-LEE of Texas, Mr. BERMAN, Mr. RANGEL, Mr. MCNULTY, Mr. HINCHEY, Mr. BISHOP of Georgia, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania.

H. Res. 771: Mr. ENGLISH of Pennsylvania.

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

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Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable JIM DEMINT, a Senator from the State of South Carolina.

PRAYER

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

Let us pray:

O God of mercies, You preserve the seas and all that is in them. You have promised to keep in perfect peace those whose minds are fixed on You.

Give our Senators today the serenity that comes through trusting in Your strength. As they do the work of freedom, may they seek Your guidance and wisdom. Lead them with Your precepts to the decisions that will honor Your name. Give your peace and unity to their hearts so that harmony can be seen in their interactions. Shine Your light within them so that they can serve humanity well.

Help us all to humble ourselves under Your mighty hand, that You may exalt us in due time. We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM DEMINT led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 25, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM DEMINT, a Senator from the State of South Carolina, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. DEMINT thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today, we will start with a 1-hour period of morning business, and following that we will go into executive session to consider the nomination of Gray Miller to be a U.S. district judge for the Southern District of Texas. We have 10 minutes allocated for debate on that nomination, with the vote occurring after that time.

Senators can expect the first vote today at approximately 11 o'clock this morning. We have a group of Senators going to the White House. Therefore, we want to start that vote no later than 11 o'clock. I hope Members will be able to keep their remarks brief so we can get to that vote.

After the vote, we will resume consideration of the supplemental appropriations bill. There is an opportunity for Senators to give opening statements this morning prior to the policy lunch. The Senate will recess for each party's policy meeting between 12:30 and 2:15. Later this afternoon, I expect amendments to be offered to the supplemental, and I hope we will be voting on those amendments during today's session.

FOCUSING ON THE CHALLENGES FACING AMERICA

Mr. FRIST. Mr. President, I welcome my colleagues back from the Easter/Passover recess. It was a 2-week recess, where many had the opportunity to spend time with our families and with our constituents back at home. I hope everybody had a rejuvenating and productive period of time because we have a lot to do.

We have before us a 5-week block of time, during which I intend to keep the Senate focused on the big challenges facing America and on delivering meaningful solutions to the problems Americans are seeing out there every day, some of which are very apparent and some of which are not very apparent in their everyday lives.

As we set out from the very start, the goal of this Republican-led Senate is to make America safer, stronger, more productive, and healthier. That applies across the board, from the war on terror abroad—and we will have a lot of discussion on that on the supplemental—to the family budget right here at home, and people are feeling the pinch of gasoline prices and skyrocketing health care costs every day.

Time is of the essence. We have serious issues to tackle in 5 short weeks. That means working together, pulling the very best out of both sides of the aisle, and recognizing that obstruction is not in order as we proceed along this upward path of producing for the American people.

It is an election year. That always makes it challenging for everything we do every step along the way. But the American people expect us to legislate, to govern, and not to get mired down in partisan obstruction and partisan politics. It is our obligation and responsibility to deliver to them. We have the challenges out there. We have to act and we need to act with solutions. That is what the American people expect—challenge, action, solutions. That is what they deserve.

We need to support our troops who are fighting in the field for our freedom and safety. We need to address the skyrocketing health care costs and make

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

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health care more affordable, more accessible to every American, no matter where they live. We need to put judges on the bench who interpret and not make the law. We need to keep our economy strong and growing. We need to tackle that rising cost of gasoline. Right now it is up, teetering at the $3 level. That is too much to be paying per gallon.

Over the next 5 weeks, we are going to tackle each of these items. I call upon my colleagues on both sides to work together to get this done for the sake of our fellow citizens who have sent us here to work for them, to represent them.

Unfortunately, before the Easter recess, obstruction from the other side got in the way of comprehensive border security and immigration reform. But as I have announced over the last couple of days, I intend to bring this issue back and to continue driving forward on this important issue to the American people. We need real border security. That includes a fence along certain parts of the border, surveillance along other parts of the border. But we have to get this border under control. We took very positive steps last year in increasing the number of border agents and the number of detention facilities, and both are very important in this supplemental bill over the next several days. We will once again address border security.

We also need employer enforcement in a system that addresses the fact that we have 12 million to 20 million individuals who right now are kept in the shadows. Building on last year's efforts, spearheaded by the Senate, I will support an effort to put funds into the supplemental bill to make our next downpayment on securing the border.

Hiring more Border Patrol agents and giving them the tools they need to get the job done doesn't need to wait until we finish the overall immigration bill. We can take important steps now and indeed we will. It is part of the challenge, the action, and the solutions the American people want; they want serious reform.

Keeping America strong also means keeping America healthy. Insurance premiums have risen—health insurance premiums—73 percent over the last 5 years. It hits small businesses and their employees in particular. Of the 20 million Americans who are working and are uninsured, don't have health insurance, 49 percent are self-employed or work in firms with fewer than 25 employees. According to the Institutes of Medicine, nearly 18,000 Americans die prematurely each year due to lack of insurance. It is a fact. It has been proven again and again.

If you have health insurance—even if you do not have comprehensive health insurance, but you have any health insurance, you do better in terms of health outcomes. Last month, the HELP Committee reported out a bill to allow small businesses to band together all over a community to reach out and gain that purchasing clout which we know in the marketplace can drive prices down. It can make those insurance policies less expensive and thus more accessible.

The Enzi legislation, when fully phased in, would reduce employer premiums by 12 percent and the number of uninsured workers by at least a million. Voters are close to unanimous in their support for allowing self-employed workers and small business employees to band together to negotiate lower insurance costs as spelled out in that Enzi bill.

Again, challenge, action, solutions. It is time to get it done.

We have also known for some time that the medical malpractice system is broken. It is driving up costs, driving my doctor colleagues out of their professions, from practicing medicine and delivering care. Nearly half of America's counties today lack an obstetrician/gynecologist, and that is due in large part to excessive, skyrocketing medical malpractice premiums. Three out of four neurosurgeons will no longer operate on children. When you ask why, it is because of medical liability. And 79 percent of doctors practice defensive medicine for fear of getting sued. That means when somebody comes in and they have a headache, you get a whole barrage of unnecessary tests to protect yourself in the event there is a lawsuit. Health care costs have risen between $70 billion and $126 billion in defensive medicine costs.

I was in Texas the other day. Texas is fascinating to me as a physician. They recently adopted liability reform measures. The largest malpractice insurer in the State immediately began lowering premiums, and premiums in that State are now down by 22 percent. Indeed, there is an influx of doctors from all over the country moving to Texas because of this very effective, proven to be effective, malpractice reform. An overwhelming majority of Americans support a Federal law to limit jury awards to compensate for pain and suffering in medical malpractice suits. Challenge, action, solutions. It is time to get this done.

Keeping America strong means keeping our economy thriving. That is why we passed the Tax Relief Act of 2005. We know that tax cuts work. We know they grow the economy and help create jobs. In 2001, we passed $1.4 trillion in tax relief; 2 years later, another $350 billion. That is $1.7 trillion that goes into the pockets of everyday, hard-working Americans for them to save, to spend, to invest. We cut taxes on income and marriage. We doubled the child tax credit and slashed taxes on capital gains and dividends. Because we did, our economy has grown.

Right now, each month we are creating about 200,000 new jobs. Over the last 32 months, we have created 5.1 million new jobs. Home ownership is up. Minority home ownership is up at all-time highs.

Tax relief has led to 3 years of record economic growth. But we have a lot more to do. In the next 5 weeks, I intend to bring legislation to the floor to eliminate the death tax once and for all. The death tax is unfair, it is inefficient, and it taxes people for dying. It is double and triple taxation. The death tax drives hard-working people to spend billions of dollars on complicated tax structures for the sole purpose of avoiding death taxes on income that has already been taxed.

Because of Katrina, we could not move forward on repealing the death tax last fall, but now is the time to bury that death tax once and for all. Keeping America strong, protecting the democratic process means protecting the separation of powers. We need judges who interpret the law and who don't make law from the bench.

We have made substantial progress on judicial nominations. We put one Chief Justice, one Associate Justice, six previously filibustered circuit court nominees, 20 other circuit nominees, and 104 district court nominees on the bench since 2003. But we cannot rest on that progress.

Terry Boyle is one example of a nominee who deserves our consideration. He was nominated for a circuit court judgeship back in 1991 and then again in 2001. He has been waiting 15 years for a fair up-or-down vote.

Another is Brett Kavanaugh, first nominated in July 2003. He has been waiting ever since that date. He, too, deserves a fair up-or-down vote.

We need to keep up the momentum and keep driving forward so that each and every nominee gets a fair up-or-down vote on the floor of the Senate.

The weather is warming up and we are approaching the summer driving season, and American families are being squeezed tighter and tighter by these skyrocketing gas prices. We need to help them find relief. We know there is no single magic bullet. We know it is an issue of supply and demand.

As a first step, Speaker HASTERT and I have asked the President to direct the Federal Trade Commission and the Department of Justice to investigate if price gouging or speculation in the oil markets is contributing to the current high prices.

We need to get to the bottom of it, and if we do so, we may have legislative action required on the floor of the Senate, or we may not, but only an investigation, only an examination by the FTC and DOJ can give us that answer.

We need to find short-term solutions. In the long term, however, the answer is to reduce America's dependence on foreign oil. The fact that we are 60-percent dependent today on foreign sources of oil is simply inexcusable.

During our majority over the last 12 years, Democratic obstruction and delay has stopped measures to enhance domestic production, and domestic production must be a part of any long-term solution for our energy supply.

The President laid out a number of initiatives in his State of the Union

Address, and I hope we can pursue them in committees and then bring them to the floor quickly. Again, challenge, action, solutions.

Those are some of the things we need to be doing over the next 5 weeks. There is a lot to do in a very short period of time, but I am convinced that with determination and focus and by leading on principle, we can and we must govern with meaningful solutions on the issues that matter, and they can be delivered to the American people. We can make America stronger, we can make America safer, and we can make it more secure. We must keep America moving forward.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with the first half of the time under the control of the majority leader or his designee, and the second half of the time under the control of the Democratic leader or his designee.

The Senator from Montana.

ENERGY

Mr. BURNS. Mr. President, this morning the leader touched on a lot of problems we have before us as we come back from Easter break. I know most of us have been home and listened to the folks at home. Most of us have probably come back with more challenges than when we left. Here are a couple of issues.

I was glad to hear the leader bring up the situation on insurance premiums, especially for small businesses and the self-employed. Senator ENZI of Wyoming and I have been working on the small business health plans for almost a year now. That is nothing new. It is not a new idea. Ever since I joined the Small Business Committee and even under the chairmanship of my good friend from Arkansas, Senator Bumpers, prior to 1994, we were working on the same issue, but we were unsuccessful then and have been unsuccessful up until now in striking a balance. There is broad support for the approach being taken by the chairman of the HELP Committee.

If you talk with folks engaged in small business, Montana businesses with 10 employees or less have little or no leverage when it comes to buying group insurance or trying to broaden their pool to keep their insurance premiums at a minimum. I look forward to that debate when the bill comes to the floor, and I look forward to final passage and getting it to the President for his signature.

I took a drive across the State of Montana over Easter Recess, all by myself. I just jumped into my pickup and took off and talked with rural Montanans. I fight awfully hard for rural Montanans for the simple reason that, right now, they are sort of being pushed into the background when we start talking about what is happening in our economy. Even though our livestock prices are decent, the grain producers, and many other folks, still have a real problem because they cannot get their arms around this business of containing costs, and the cost of energy is their main issue.

Whenever gas and diesel prices go up, it goes up on the farm also, and the cost of putting a crop in and getting it out has increased substantially due to these high energy costs.

We are a big State. We are a mobile State. We are 147,000 square miles. Yes, we only have 900,000 people, and some could probably make the case it is getting a little crowded up there. We have to drive long distances just to do business around the State, and these energy prices are impacting all of us.

Everybody wants to stand around on the floor of the Senate pointing fingers, when we could be looking at the real case of cumulative effects—of what we have done in policy and what has to be done to produce more energy for a growing society and a growing economy.

We are driven by agriculture in my State. Farmers and ranchers are price takers; in other words, we sell wholesale, we buy retail, and we pay the freight both ways. Any time we talk about freight, whether it is delivering or receiving, energy is involved.

So we are caught in what some would think is a perfect storm. We haven't hit the $3 mark for gasoline in Montana yet, as other parts of the country have, but we are nearing it. In fact, we are so close to it that folks are afraid of what will happen if we do hit it.

I will tell you this: We have a situation in northeast Montana and northwest North Dakota called the Williston Basin. This area is quite a large producer of oil and gas. When we start quoting the price of oil on the New York Mercantile Exchange, we are not really talking about what the cash or spot price of oil is costing today. Do you realize, even though everybody is talking about the price of $73 a barrel, that market price is not being paid to our oil producers today? It is a long way from that $73. In fact, it is from $25 to $35 lower than even the spot price. Why? We are finding more oil, we are doing a better job of finding oil and lifting it, but the infrastructure of transportation—in other words, getting the crude to the refineries—and the refineries' capacity to refine it has not kept pace even with our own production in the United States. Therein lies a problem, and it is one we have to address.

We have not built a refinery in this country for 30 years—35 years, I think, if you want to get very particular. The ability to expand refining capacity in the present-day facility is becoming very expensive and cannot be done without expanding outside the boundary.

If anybody has the idea that the refiners are making a lot of money, look at their return on investment. It is not very big. So people point their fingers at the refiners. Do they point their fingers at the big oil companies? Yes, they do, and in some cases justifiably so. We can sit here and poke holes in that argument. But our basic problem is siting and building facilities to satisfy a growing demand.

If you want to build a new refinery, or if you want to build a new pipeline to move the crude to the refining areas, I will tell you, you are going to have sticker shock when you look at what it costs just in permitting and siting for that facility. It is unbelievable. 25 percent of the estimated construction cost of a new refinery now will be eaten up in permits and siting, and all because of some laws and regulations that basically do not serve this country very well.

Am I justifying the prices today? Somewhat. But I think what we are seeing is a perfect storm of cumulative effects, of not keeping pace with our ability to produce and lift oil from the ground.

Alternative fuels and renewable fuels are also an important part of our energy program.

In 2002, we actually got a title into the agricultural bill that dealt with renewables and agriculture. We knew that we were going to have an energy bill and that title would dovetail into some of the policies that we wanted to put forward in an energy bill. We knew that an energy bill should come pretty quick. However, it did not come quickly. It came some 4 years later. After dragging and stalling and putting up all kinds of barriers, we finally got an energy bill in 2005, and we did dovetail some of the elements on renewables as it relates to agriculture.

In 2007, we will renew the Agriculture bill. And I would not be a bit surprised if we do not see energy even in the main title because we can produce renewables and we can produce alternative fuels to make sure we wean ourselves off of our dependency on foreign oil. We have to do that. We are going to get it done even though there are people who will obstruct and drag their feet in setting the policy.

I see my good friend from Utah is in the Chamber. Whenever you are producing oil at post-1970 production in the State of Montana, that means we have crude oil, like the crude oil that could go to refineries today in his State of Utah, from pipelines that are fed out of Montana, as well as to refineries in Montana and also in Colorado. Do you realize a 36-inch pipeline moves something like 86 thousand barrels a day? We can't even get on that pipeline. That pipeline is owned by Canada,

and it is full of tar sands oil moving to refineries in Utah and Colorado. Meanwhile we are actually slowing down production at wells since we can't get all the crude oil being produced in the Williston Basin area today out of the area. If we do manage to get some of the crude oil on the pipeline, it is at a discounted price of around $25 to $30 a barrel.

What is wrong with this picture? The infrastructure isn't there to move the oil. The refining capacity is not there to refine the oil. We are picking and choosing who gets the oil on the pipeline and who gets to sell their crude oil at prices that are far less than $73 a barrel. The price that is going through the roof, that we hear so much about, is the oil futures price, which is set by speculators and expectations. That is not the spot price. Americans have to understand the difference.

So we need infrastructure, but we also need this ability to produce the alternatives and the renewables and to get those energy products on line as well. And we can do just that if we don't have to chew up 25 percent of our construction costs just in permitting and selecting a site in which to do the work.

I know that high costs affect people who have to drive automobiles to get to work and have to go places to make this economy grow. Yes, the President is right on. Let's take a look at the oil companies. Let's see what is going on there. Let's get on the internal part of it and see what the prices are all about today.

But I stand here today with the appeal that we need to look at our food and fiber production across this country.

I will tell you something else I found out while driving around Montana. I would drive down the highway through a little town, and if I saw a little restaurant there, a little café with six or seven pickups sitting there, I would go in and have a cup of coffee. You will get some conversation going on in there, I guarantee you. When I hear of farmers cutting back on the use of fertilizer by almost a third last fall and this spring when going in with their crops, that sends a message to the rest of the country that food and fiber production is being negatively impacted by these energy costs. Yields go down, the amount of grain and food products that moves to the marketplace goes down. The producers just can't afford the fertilizer. Then they go to pay their diesel costs for putting the crop in and taking it out, and it makes for a very interesting discussion around the restaurant or the cafe in the coffee clutch. Usually those fellows have all the answers, if you will just listen. I hope most of our Members of this Senate would do that: Just take off, sit down in a restaurant, listen to what people are talking about, and then try to come up with some sort of policy that would increase our ability to move and to be mobile and to fuel an economy that supports a very mobile society.

For alternative fuels, our technology is moving right along. We have many technologies that are going to help us in ethanol production, especially the cellulosic technology that uses plant residues. What we usually throw away, the waste, can now be turned into energy.

Biodiesel is viable. Genetically improved oilseeds are being produced and can be turned into a cleaner diesel. We were in Billings yesterday and saw an experiment of what can be done with biodiesel. We are the Saudi Arabia of coal in Montana. There are ways to turn that into diesel. Basically, we haven't found any alternative to diesel in moving big loads. We have to continue our research and development and our effort to turn what we grow every year, what is renewable every year, into usable, practical renewables to fuel our every day lives.

So I hope that during this week policies which would increase production, whether hydrocarbon or renewable, could move out because there is nothing in the short term that is going to take care of it. I tell you: we have to look at the long term of where we want to be in 20 years and ask ourselves how we get there. To formulate that policy in 1 week is asking a lot from this body or any other policymaking body. Nonetheless, we have to take up that challenge and be aware of what is happening on our farms and ranches across this country because the second thing every one of us does when we get up in the morning is eat breakfast, and we know the cost of that is going to rise if we don't address this business called high energy prices.

There is a cumulative effect here. We could point fingers at one, two, three, or four different contributing factors, but it is the perfect storm of all these factors that have come together. Finally we are being sent a message that policy has to be changed in order to increase our ability to move Americans.

I thank the Chair, and I yield the floor.

Mr. BENNETT. Mr. President, today's papers are filled with stories about energy prices and particularly gas costs and editorials demanding that the Congress and the President do something about it. I think perhaps the best comment that appeared was in this morning's Wall Street Journal in a story with the headline ''Bush Aims To Rein In Gas Costs,'' where there is a quote from Robert Ebel, who directs the energy program at the Washington Center for Strategic and International Studies. All of us are familiar with CSIS and the good work that it does. I would like to quote Mr. Ebel because what he has to say is the clear understanding of where we are. He says:

A good politician never admits he's powerless in a situation, but I don't see anything that the Congress can propose that will make any difference. We don't stand in isolation from the rest of the world oil market, and there are events going on around the world that affect the world price of oil.

I note that he uses the term ''world''—I could count how many times, but multiple times—and we act as if this is a domestic problem. We act as if this is something we in Congress or the President in the White House can wave a magic wand and do something about.

I would like to point out a few facts and perhaps bring a little humility into this body, something that is in fairly short supply but in great need.

As Mr. Ebel points out, the price of oil is set by a series of world events. It is not set in the Congress. It is not set in the White House. People look at the cost of a gallon of gasoline and say to themselves: You know, it only costs—picking numbers out of the air but being illustrative—$1.50 to put that gallon of gasoline in the tank at the service station, yet the service station operator is charging me $3 to take it out; there is price gouging going on somewhere. The reality is that the price in the tank at the service station is not figured on the basis of what did it cost to get that gallon there; the price at the service station is figured on the cost of what will it cost to replace that gallon there. So the reason a gallon of gas is at $3 at the service station is that all of the forces involved in putting that gallon of gas in there assume that it will cost $3 to replace it; therefore, they better charge $3 for it in the first place.

Now, they may be wrong. It may be that they can replace that gallon of gas for $2.50, and as soon as they come to that conclusion, that gallon of gas will come down to $2.50. It may be that the cost of replacing that gallon of gas will be $3.50, and at that point, everybody will lose some money along the way. But whether it is the production of oil in the oilfield, the transportation of oil around the world, the refinement of oil in the various refineries, the transportation from the refinery to the service station, everyone is making a guess as to what it will cost for the next gallon of gas along the way, and that shows up in what appears at the service station.

So when there is trouble in Nigeria, someone says, by virtue of that trouble in Nigeria, the next gallon of gas is going to cost more than we think, and that is why the price goes up. If there is trouble and difficulty in Iran, well, that is going to cause the price to go up, and let's bet against that future. If there is trouble in Venezuela, then that figures in. When it turns out that the trouble doesn't materialize, the price of gasoline drops dramatically, and we have seen that in this past history.

The primary thing that started gas prices going up was Katrina. Why? Because Katrina wiped out a good percentage of our refinery capability. As the Senator from Montana has pointed out, we haven't built a refinery in this country for several decades. We need to get about it. But that is a 5- to 10-year

problem. We can't instantly create a refinery out of nothing. As the refineries were shut down as a result of Katrina, the price of gas spiked as people anticipated that there would not be enough supply. As the refineries came back on line more rapidly than anybody anticipated, the price of gasoline dropped.

Now refinery capacity is being shut down again. Why? Because we here in this Congress mandated the replacement of MTBE with ethanol, and the refineries have to gear up to make that shift. When they do that, they shut down in order to retool. When they shut down, there is a lack of gasoline, and you have prices going back up again. Once they have made the shift over, we will find those prices will start to come down, unless there is some other unsettling situation somewhere in the world.

The bottom line, to repeat a refrain I have stated ever since I have been in the Senate, is that we cannot repeal the law of supply and demand. We engrave Latin phrases around here—and they are wonderful—to remind us of our history and our background, but if I could control what we carve in marble and see every day, it would be that statement: You cannot repeal the law of supply and demand. If we had built the facilities in ANWR in 2001 when there were sufficient votes in the House but was killed in the Senate, it is likely that oil would be coming on line now, because at the time people said: Don't get excited about ANWR; it is going to take at least 5 years. Well, 2001 was 5 years ago. If we had done that, we would start to see that oil. Would it lower the price? Of course it would because it would change the equation of expectations of people who are involved in this whole situation.

One last comment. I have talked about ethanol, and I have talked about MTBE. These are additives to lower the emissions that come out of gasoline, and they are good things. They are, however, expensive, and we cannot say on one hand: OK, let's get the price of gasoline as low as possible, and by the way, while we are doing it, let's put new burdens on the refineries that require this additive, that additive, and the other additive, that will require the creation of what are called boutique fuels, so that the refinery, instead of just putting out gasoline in regular or super high test, are putting out a boutique fuel for this part of the country and a boutique fuel for that part of the country and a boutique fuel for the other part of the country. That means constantly retooling, shutting down, starting up, changing, and all of that adds to the cost.

We have added to the cost here in the Congress in the name of environmental protection. I am not saying environmental protection is bad, but I am saying it costs money. We should pay attention to that so when the time comes for us to say what can we do about the high gasoline prices, the answer is we can pay attention and be a little more humble before the power of market forces. If we think Government can intervene with market forces and produce long-term lower prices, all we need to do is dredge up memory of what happened the last time we panicked about this as a nation in the 1970s. Under the leadership of President Carter we created a synfuels corporation, created oil company windfall taxes, and ended up in lines on separate days. You could only get your gas tank filled on alternative days. Ultimately, we saw all of the effort collapse when market forces finally took hold and brought the prices back in line.

I know it is not a message people want to hear. I, like Senator BURNS and other Senators, have been out in my constituency during the break, and I heard people talking about: What are you going to do about gas prices? I had two choices. I could either tell them I will come back here and I will fight to lower the gas prices—and make them feel good—or I could tell them the truth. I chose to tell them the truth. This is a long-term problem, it is a serious problem, and it can only be solved by serious policies. The most intelligent serious policy that we can adopt is to do whatever we can to facilitate the kinds of competition and market forces that ultimately will bring supply up and prices down and deal with the demand side as best we can through conservation.

It is not a quick fix. We can't pass a resolution and say, gee, look what we did and see something happen at the pump the day after tomorrow. It is time we recognize that fact and told our constituents the truth.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

FTC INVESTIGATION

Ms. STABENOW. Mr. President, I rise today to talk about gas prices and the energy situation in our country. First, to agree with my distinguished colleague from Utah, in fact there are long-term issues we have to address. There is no question about that. Alternative fuels, the efforts to put forward very aggressive alternatives such as ethanol, soy-based biodiesel, and other alternatives that create real competition, are critical, but there are short-term actions we can take right now that will help the families who are being squeezed on all sides by outrageous prices, along with outrageously high profits of the oil companies.

Today our leader on the floor, our Republican leader, said there ought to be an investigation going on, and the President said today we ought to have an investigation going on as to possible price gouging. I come to the floor today, as the author of the amendment that successfully passed in the Energy bill last August, to say that we have an investigation going on. The Federal Trade Commission was authorized and charged with doing an investigation, which they are doing as a criminal investigation, into possible price gouging. I was pleased to be joined by Senator DORGAN and Senator BOXER and others in that effort.

Since that time, because they began to move extremely slowly last year, I was pleased to coauthor an increase of $1 million in the budget in order to fund that investigation. We passed that last fall. There have been bipartisan letters that have gone to the Chairman of the FTC saying let's get going. That occurred last fall, last September. Now we are seeing from the Federal Trade Commission that they intend to have this report done, this investigation done by May 21.

It is about time. First I would say: Mr. President, it is your FTC. You appoint the majority of the members on the Federal Trade Commission. You should know that this is going on.

I encourage the President to be engaged with what his Federal Trade Commission is doing at this very moment. Hopefully, we are going to get the right kind of investigation with tough recommendations that will tell it like it is. This is already occurring. Right now the investigation, as I said, is structured as a law enforcement case. They are working with the CFTC, with the States Attorneys General right now. I encourage everyone interested in this issue to give their input to the Federal Trade Commission that is already doing an investigation.

In fact, one of the things they found doing this investigation, as they sent out 200 investigation demands which are roughly the same as subpoenas, ExxonMobil, back in January-February, filed a petition to quash the FTC subpoena for tax information. Fortunately, the Commission denied the appeal and ExxonMobil had to subsequently comply. But now they are looking at manipulation and gouging, whether or not that is happening. They are confident, they say, that they found enough information for a solid determination in their final report, which is expected on May 21.

I say, first to my Republican colleagues, to the leadership, to the President, this investigation is already going on. I am glad you now think there ought to be an investigation. But we would appreciate it if you would be involved in making sure what the FTC does is tough and smart and tells it like it is in terms of what is really going on.

Gasoline is not a luxury for the families of Michigan or the families anywhere across the country. It is a necessity. Families are caught in a bind because, on the one hand, this is not a regulated utility like electricity, and there is not enough competition with basically five different companies. We all know there is not enough competition because of the consolidations that have gone on. So what happens? American consumers are stuck in the middle, squeezed on all sides.

Now in Michigan it costs about $42 to fill up a tank. That is $4 more than last month; $150 more than last year. We are told by the Energy Information Administration there is going to be an average 25-cent increase this summer. We already know that numbers are topping $3, in some cases around the country $4 a gallon.

What this means on average to Michigan families is about $500 more in the cost of gas for this year—about $500. For the average family that is a mortgage payment. That is the rent. That is a car payment. It is paying for food. It is the difference between helping your kids buy books when they need to go to college. This is a big deal. Yet we see comments coming from the head of ExxonMobil, Mr. Raymond, who dismissed the concerns between Exxon's record profits and out-of-control gas prices when he said on CNN that a single quarter or single year's profits is not all that significant.

Mr. Raymond, it may not be significant to you. It is significant to the people in Michigan. Five hundred dollars more is significant. It is a big deal.

We also know that according to our businesses—for instance, General Motors executives say that every time there is a $1 increase in the price of a barrel of oil it adds $4 million to GM's logistical costs. So this is an issue of jobs. Petroleum costs equate with what is happening on jobs. So this is a big deal.

It is also a big deal for the oil companies. As we all know, we have all been seeing the numbers, the total combined profit for the big five oil companies last year was $111 billion. For 2005, ExxonMobil reported the highest profits ever recorded in U.S. corporate history.

What adds insult to injury is when we look at the things like the CEO compensation. He is being paid a total compensation package of $69.7 million. That is about $110,000 a day, by the way. Most people in Michigan don't make $110,000 a year, and we have the head of the largest oil company making $110,000 a day, with a $400 million retirement package. Then we are to expect that this is just the global marketplace happening, that there is nothing we can do? I don't accept that.

In the short run we can do one thing and that is go back to the drawing board on a bill that is in conference committee right now on tax cuts. That has over $5 billion in new tax cuts, tax breaks for oil companies, some of it based on their businesses overseas. We can say no. This industry does not need taxpayers to subsidize $5 billion-plus, plus another $2 billion in the Energy bill that passed last year. We are looking at $7 billion in increased tax breaks that American taxpayers are subsidizing while we are paying the higher prices? No.

I have introduced a bill called the Oil Company Accountability Act that says no to more tax breaks for oil companies and puts that money back into a $500 rebate per taxpayer in this country to pay the cost of higher gas prices for the coming year. The average taxpayer is going to pay $500 more. I think that is a better use of those dollars than putting it into more tax breaks for an industry that is already the most profitable, with the most outrageous salaries, and that continues to price gasoline at a level that is out of control.

I am hopeful my colleagues will be offering this in various capacities. It would be terrific to get this passed right away because families could have their checks in the mailbox before Labor Day to help them pay the outrageously high gas increases that we are seeing: $500 tax rebate checks for families, no to the oil companies on more tax breaks, and that at least gets us on the right track while other long-term efforts needed take place.

Mr. President, I yield.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I want to take 5 minutes to talk a little about the energy issues that are affecting us and challenging us as a nation and the high price of gasoline more specifically. I am persuaded that most of the increase in the price of gasoline that we are seeing at the pump is a result of the increase in the price of oil and that most of that increase in the price of oil is a result of supply and demand factors. Not all of it, necessarily, but the majority of the cause is with supply and demand.

So the question comes down to what can we be doing to come to grips with this supply and demand situation? To the extent that there is manipulation of the price, what can we do to deal with that?

Let me talk about the manipulation first. I strongly support putting in place a Federal statute that prohibits price gouging. Many States have similar statutes, and they have had some success in the enforcement of those statutes. But we have no Federal statute to that effect. We had a hearing. That was a joint hearing between the Energy Committee and the Commerce Committee a couple of months ago. It was in November, so it has been more than a couple of months ago. We had the head of the Federal Trade Commission, Deborah Platt Majoras, there testifying. The Federal Trade Commission is the Federal agency that would be the natural agency to have responsibility for enforcement of a Federal anti-price-gouging statute. She testified:

> A Federal statute that makes it illegal to charge prices that are considered to be too high as long as companies set those prices independently would be a mistake. The omission of a Federal price gouging law is not inadvertent. It reflects sound policy choices.

The clear position of the Federal Trade Commission, as articulated by the Chairwoman of the Federal Trade Commission of this administration, is that they do not want a Federal anti-price-gouging statute, they do not believe it would be good policy to have such a statute. They would find it difficult to enforce and therefore they urge Congress not to proceed.

I think that is a mistake. I think we should bring an anti-price-gouging statute to the floor, and we should proceed to pass it as soon as possible. So that is on the manipulation issue.

What about supply and demand and the effect that is having on the price of gasoline? Clearly, the supply is not what it needs to be to meet demand today. Trying to increase simply over the short term is very difficult. The most likely prospect we have for increasing supply in the next few years is legislation that I have cosponsored along with Senator DOMENICI to try to open up an area in the gulf coast for drilling. That is lease sale 181. That legislation would open up for development an area that is estimated to contain 6 trillion cubic feet of natural gas, an area that is estimated to contain 1 billion barrels of oil. That would help. That is not an immediate fix, but over the next few years that could begin to help with the supply situation.

What about demand? Frankly, that is the area where we could do the most good. In the Energy bill we passed last year, we did some things to try to reduce demand, to try to encourage additional efficiency, to try to encourage additional conservation, but we did too little, in my view.

There is more that can be done, particularly in the transportation sector. This is legislation that I am joining with others on in a bipartisan group to introduce this week which is called the Enhanced Energy Efficiency Act of 2006. This legislation would try to set targets and goals and requirements for the various Federal agencies to adopt, policies to save oil over the next several years—and it would put specific amounts of savings that we would work toward. They could do that through a variety of initiatives, a variety of policy changes and regulatory changes to encourage more fuel-efficient vehicles, to encourage fleet conservation requirements, assistance to State programs to retire fuel-inefficient vehicles, assistance to States to reduce schoolbus idling.

There are a variety of provisions in this bill. These are provisions which were included in a bill that Senators BAYH, BROWNBACK, COLEMAN, and various other Senators introduced earlier in this Congress. I think it was S. 2025. But these are provisions that would be under the jurisdiction of the Energy Committee. These are provisions that I believe would begin the process of looking more seriously at ways we can reduce demand.

We could encourage efficiency in our use of energy, and particularly in our use of oil. These are steps that could be taken—that need to be taken.

I think we should pass a Federal anti-price-gouging law. We could do that quickly. We can get that to the President for his signature.

We can also pass this other legislation. We can pass the legislation that opens lease sale 181 for development. That, again, would help somewhat with the supply situation. Unfortunately, it is very difficult to affect the price of gasoline through legislation in the short term. I think we all need to acknowledge that. But I believe there are steps we can take. I believe there are policies we can adopt. I hope we can work in a bipartisan way to do that.

I hope we can come to the aid of the American consumers who are having to pay these very high prices for gasoline at this time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, this morning the President of the United States held a press conference and announced the following: Prices at the pumps reflect our addiction to oil.

So it turns out it is our fault. It turns out it is the fault of the consumers. It is the fault of families and businesses and farmers that the prices have gone so high. I don't think so. I think the prices at the pump reflect the oil companies' addiction to greed.

Let me give you a case to consider. Lee Raymond, CEO of Exxon, recently retired. Did he get a gold watch for his service to Exxon? No. Mr. Raymond was given a severance package of $400 million. And the prices at the pumps reflect the consumers' shortcoming?

ExxonMobil recorded the highest corporate profits in the history of the United States of America. Money went straight from the credit cards of American families into the board rooms of ExxonMobil. They realized billions of dollars in profit, and they turned around and gave Mr. Raymond, as a farewell gift for his fine tutelage over their company, $400 million as a going-away gift. And the President says the price at the pumps reflects the consumers' addiction to oil? What choice do consumers have?

You go shop around in your hometown, as I did in Springfield and Chicago. There is some variation from pump to pump, from gas station to gas station. By and large, consumers have nowhere to turn.

What is happening is the price of gasoline is going up so fast, so high, that it is creating a hardship—not just for farmers and individuals but for America's economy—for the farmers I represent who are trying to put a crop in the field, for businesses that depend on the cost of energy as one of their input costs. That is a reality.

Let me say to the President that the prices at the pumps don't reflect our addiction to oil; they reflect a failure in leadership by this White House.

It hasn't even been 1 year—not 12 months—since the President ceremoniously signed the Energy bill for America's energy policy last August. What a great bill that has been. Since that bill was signed, what has happened to the price of energy and heating, and energy and gasoline? It has gone up dramatically across America. That bill was a failure. It was a failure because this administration believes the price at the pump is the fault of the consumers. It isn't. The consumers have nowhere to turn. That bill that was passed was an outrage. There were some provisions in it that I supported—expanding the use of alcohol fuels, alternative fuels—but the bill also contained multibillion-dollar subsidies to the oil industry at a time when they are enjoying record-breaking profits.

We are going to take money away from taxpayers and give it to industry? What in the world could we be thinking?

The bill also has had no meaningful conservation effort. How can we be serious about an energy policy in America if we aren't moving toward more fuel-efficient cars and trucks? We continue to import oil from overseas with abandon.

Why hasn't this administration set as a goal for America what the Democrats argued for on the floor; that is, that we would reduce our dependence on foreign oil by more than 50 percent over the next 10 years? We can do it with the vision and leadership of a White House that is not wedded to the oil industry but wedded, rather, to an economy that is being at this point seriously disadvantaged by the terrible increases in gasoline prices.

When the President wants to blame the consumer pulling up to the pump for his addiction to oil, I have to ask the President: What have you done? What has Congress done? What should we do?

Let me say this: Despite my serious misgivings about the energy policy of this administration which believes the answer to our prayers is to drill for oil in a wildlife refuge in Alaska that we have protected for 50 years, a refuge which at best will start producing oil in 10 years, and over its lifespan produce 6 months of energy for America, as if this is the answer to our prayers, that is very shortsighted. We need to come together. We need to understand that when the Republican leaders in Congress and the President of the United States are saying we had better call the Federal Trade Commission because something is going wrong with gasoline stations—America, excuse me; the Federal Trade Commission is part of this administration. Why are they waiting until this moment in time when all the bells and whistles and alarms are sounding to finally realize that we have to move on price gouging and price fixing?

I think it is time to have a windfall profits tax. I introduced that bill. When ExxonMobil can realize billions of dollars of profit at the expense of American businesses and families, it is time for us to step in and say that money is coming back to the Treasury and back to the consumers. We have talked for a long time about tax cuts for average families. How about a tax rebate from the windfall profits of these oil companies going right back to the families who are being flailed by these high gasoline prices. That would send a message to the oil companies that their price gouging is not going to go without penalty. They will pay a price for it. Those who would benefit from the windfall profits tax are the very consumers who are paying these high energy prices.

I think that is what we need to do. We need to understand that if we are going to have an energy policy in America which keeps our economy moving forward, we need to acknowledge the obvious. It is not the consumers' fault. The consumer has nowhere to turn at this point but to pay these high gasoline prices. It is the fault of leadership—the leadership at the oil companies that will take every last penny out of every working family they can at the pump, and it is the fault of an administration which comes from the oil patch and has been afraid to confront their old friends when it comes to these rising gasoline prices.

It is time to start anew. It is time to start on a bipartisan basis to understand that this isn't just a temporary inconvenience. It is something which can seriously handicap this economy for a long time to come.

I just returned from Illinois. I spent 2 weeks traveling all over the State, the city of Chicago, and suburban areas. I tell you that I expected to hear a lot about the Iraqi war, a lot about immigration, health care, education, and I did hear about those, but the thing that is focusing the attention of the people in Illinois is the price at the gasoline stations.

These families understand that this is a hardship they never counted on. It is bad enough in this country when these families struggle to try to make a living, to put their kids through school, make that mortgage payment, but then to have these oil companies and their rapacious greed charging higher and higher prices for their product and taking $400 million so Mr. Raymond can have a sweet retirement from ExxonMobil, that is unconscionable.

It is time for the President to speak out. It is not a question of whether our addiction to oil has caused this problem. It is not the consumers' fault. No. It is the fault of the oil company executives and this administration which needs to show real leadership so this economy doesn't stall.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, I would very much like to work on an energy policy in a bipartisan way. I think we all understand that the only way to get anything important done in Washington, DC, is to work in a bipartisan way. Unfortunately, the same Bush administration that so tragically bungled the response to Hurricanes Katrina and Rita has now bungled its way to $3-a-

gallon gasoline. And in particular, I am concerned that all of the evidence showed that this spring we would have these problems.

The administration, for example, has given Congress a variety of reports about how post-Katrina we would have evidence of a supply problem. With respect to the changeover from MTBE to ethanol, all the evidence was available many months ago. The Wall Street Journal was warning about it—that there would be huge logistical problems for service stations and others to make that changeover.

We know that ethanol—and the Senator from Illinois has been one of the leaders in this effort—is going to play an important role in America's gasoline future. Given that, this should have been an all-hands-on-deck approach at the administration trying to watchdog the transition from MTBE to ethanol. This is an administration with enormous expertise in the oil area. For all practical purposes, this is an administration that is almost marinated in oil. One official after another has a history and a background in this sector. Yet where was the Department of Energy? Where was the Environmental Protection Agency? Where was the Commodity Futures Trading Commission at a key time in our country's energy future?

With all the problems overseas—Nigeria, Venezuela, and Iraq producing a tiny fraction of what they were able to produce before the war—we knew that this was going to be a difficult time this spring.

I talked to a gasoline station owner last night. I pulled up and was faced with the prospect of $3.25 a gallon. That station owner said: Nobody gave us any information at all about how to proceed in this significant switchover from MTBE to ethanol.

They have to clean their tanks. There are tremendous logistical problems and a different role for transportation with respect to trucks and rails versus pipelines. Normally, you would have taken a much longer period of time to make this changeover. That wasn't done.

So the administration should have been there working with the service station owners and the oil companies and a variety of parties to try to minimize the problems when you are having this massive transition in the energy area. So we are going to see instances where people try to exploit the situation. I hope we can get the Federal Trade Commission off the dime and finally go out and take the steps to protect the public from this exploitation.

It was known a year ago that this was a time when we would have a perfect energy storm. We knew we were going to have the equivalent of what amounts to a level 5 hurricane in the gasoline market. Yet the folks in the administration sat on their hands. It did not have to be that way.

I want to work in a bipartisan way to turn this around. Unfortunately, the same kind of bumbling and bungling approach that was taken in responding to Hurricanes Katrina and Rita has driven our gasoline prices over $3 a gallon. We ought to come together. I recommended yesterday in a lengthy speech a variety of steps we could take in the short term—for example, helping the States to make this transition to ethanol easier. We can do it in a bipartisan way. If it were not for the bungling of this administration over the last year and its failure to take the steps that could have prevented much of what we have seen, we would not have to come to this point. That is unfortunate. The American people have been gratuitously hammered again. It didn't have to be.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I have been listening to the debate in the Senate. Senator CORNYN is going to respond in a little more detail. Honestly, it is very important we address the energy issue in a way that suggests what we can do. The people of America are not interested in Democratic charges against Republicans and Republican charges against Democrats. They want more resources so the price of gasoline at the pump will come down.

In my hometown of Dallas, there are shortages now in addition to the high prices. We need to do some things that diversify our resources so we depend on our own resources for oil and natural gas. That means drilling for oil in our country and trying to make sure we have conservation and alternative sources of energy, which is exactly what Congress has been trying to do. We have been held up in doing it.

I appreciate very much this opportunity. I am very pleased to work with my colleague, Senator CORNYN.

Mr. CORNYN. Mr. President, I will use a few minutes to respond to some of the voices that have been raised regarding the fuel prices. Of course, this is an issue that affects everyone. It is ironic that those who have railed the loudest against high gasoline prices are the ones who indeed are responsible for obstructing rational energy policy in this country that would bring down the price of gasoline itself.

For example, we all know that the global competition for oil and gas is greater with the industrialization and growth of countries such as China, with 1.3 billion people, with the growth and industrialization of countries such as India. But notwithstanding the need to diversify our energy sources to nuclear energy and use the 300 years of coal we have in this country in a clean and environmentally sensitive way, we have been met with nothing but obstruction when it comes to trying to both diversify our energy sources and to undertake policies that would literally bring down the price of gasoline at the pump.

It is no secret the single greatest factor in high gasoline prices is high oil prices. We have simply been denied every opportunity we have tried to undertake to expand domestic production at home by exploring places such as the Arctic Wildlife Refuge in an environmentally responsible way and drilling offshore in America in a way that can preserve both the environment but also increase the supply of oil and help bring down the price of gas.

Congress can do a lot of things, but we cannot repeal the laws of supply and demand. Without additional supply, we know with additional demand, prices will continue to go up. Because of obstruction and unreasonable regulation we have not seen a new refinery built in this country in the last 30 years.

Our time would be used more productively if our colleagues across the aisle would work with us to diversify and expand the sources of domestic energy so we can help bring down the price at the pump. It would be much more constructively used if we work together rather than attempting to score political points and to place the blame in a political season.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF GRAY HAMPTON MILLER TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session for consideration of Calendar No. 602, which the clerk will report.

Under the previous order, there will be 5 minutes for the Senator from Texas.

The bill clerk read the nomination of Gray Hampton Miller, of Texas, to be United States District Judge for the Southern District Of Texas.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I take this opportunity to talk about Gray Miller. Senator CORNYN and I are dividing this time because we are both responsible for nominating this incredible person to serve on the Federal district bench from the southern district of Texas in his hometown of Houston.

Senator CORNYN and I have a process. We have a committee made up of Republicans and Democrats, geographically diverse, lawyers respected in their fields, who interview all of the nominees for Federal benches. There were quite a few nominees, probably 15 to 20, for this particular bench. They rank them. Senator CORNYN and I then talked to the top 3 or 4 nominees. It has been a great system. We have gotten extremely qualified judges on the

district benches in Texas doing it this way.

I appreciate the input of Senator CORNYN, a member of the Judiciary Committee, because he has been attorney general of Texas. His input is very valuable and our system has produced a quality judge in Gray Miller.

Gray Miller is a senior partner at Fulbright & Jaworski. Gray has headed the firm's admiralty department, starting in 1997. In fact, he is widely considered one of the leading maritime lawyers in the world and was included in Euro's Money Guide to the world's leading maritime lawyers. Included in his many professional honors are accolades as a Texas superlawyer by Texas Monthly Magazine and recognition as one of the best lawyers in America.

Gray Miller is one of the most honorable, hard-working Americans I have ever known. From 1969 to 1978 Gray worked his way through undergraduate and law school as a Houston police officer. He and his wife raised their two children during this time. While he has obtained exceptional skills and qualifications as a lawyer and with the admiralty specialty, which is a big part of the practice in Houston, his experience of serving as a Houston police officer brings a unique perspective to the Federal bench.

He was appointed by the Governor of Texas to serve on the board of the Texas Department of Mental Health and Retardation. He is a lifetime member of the 100 Club of Houston, an organization that assists the families of police officers and firefighters who are killed or injured in the line of duty.

I am honored to recommend Gray Miller. He meets the high standards to which we hold all judicial nominees. He has an impressive record of service. He has great judicial temperament. He shoots straight. He has an experience that is so diverse, from being an on-the-ground police officer who is dealing with the criminal aspect in our society—we do not have enough people with that background on the Federal bench—to admiralty, which is an intellectual contract, and international law, part of the responsibility in the southern district of Texas.

With this array of experience and the integrity he holds, we have an outstanding nominee. I urge all of my colleagues to support the nomination of Gray Miller.

I yield the floor.

Mr. CORNYN. Mr. President, I join my colleague, Senator HUTCHISON, in commending to our colleagues this fine nominee to the U.S. District Court for the Southern District of Texas. Soon-to-be-Judge Miller will succeed Judge Ewing Werlein, who assumed senior status early this year.

I add to all of Mr. Miller's outstanding credentials my recognition and our appreciation for Judge Werlein's service to his Nation and the legal profession during his time on the bench.

First, I thank the chairman of the Judiciary Committee, Senator SPECTER, as well as the ranking member, Senator LEAHY, for working with Senator HUTCHINSON and me to fill the important vacancy in the Houston Division of the Southern District of Texas.

Mr. Miller has been nominated to fill the vacancy created when Judge Ewing Werlein assumed senior status earlier this year. Judge Werlein has served his country and the legal profession admirably, and I commend him for his dedicated service.

The Houston division is one of the most important and diverse in the entire Federal judiciary as it is responsible for some of the Nation's most complex, notable commercial disputes and criminal prosecutions. It is crucial that we fill this vacancy quickly and I thank the committee for their vote to bring Mr. Miller's nomination to the Senate floor.

When I consider nominees for the Federal bench, there are certain characteristics that I value. In fact, I believe that many of my colleagues also appreciate these same characteristics. First, nominees usually have a notable history of public service. In addition, nominees are often well-respected by their peers and have impeccable academic and/or professional records. Last, nominees usually have a long and distinguished history of civil involvement. Mr. President, Gray Miller possesses these traits.

Mr. Miller has the necessary qualifications to serve on the Federal bench. He has been a long-time partner in the distinguished Texas law firm of Fulbright and Jaworski. He has excelled at the practice of law and is well respected within the legal profession for his knowledge of admiralty and maritime law. This nominee also enjoys the support of the American Bar Association which has certified him as well-qualified after a thorough review of his credentials.

Furthermore, he devotes a substantial amount of his time to public service. Most notably, he spent 9 years as a Houston police officer, working his way through his undergraduate and law degrees. Now, as a private practice attorney, he supports a variety of public service initiatives, including the Houston Volunteer Lawyers Program and Habitat for Humanity. He also previously has served on the board of trustees of the Mental Health/Mental Retardation Authority of Harris County and on the board of the Texas Department of Mental Health and Mental Retardation. He and his wife actively support Houston schools for students with learning disabilities and drug and alcohol problems. His devotion to the greater Houston community is commendable.

From a congressional page in 1965 to a police officer in the 1970s to an accomplished trial advocate, Mr. Miller understands and respects the role of our three branches of government. He has an unfailing respect for the judiciary and the jury system. It is with this understanding that I believe Mr. Miller will serve his country honorably as a Federal district court judge should—by interpreting and applying the law and adhering to established precedent.

I am pleased that President Bush has nominated Gray Miller to serve on the court of the Southern District of Texas. I look forward to his service on the Federal bench in the Great State of Texas. I ask my colleagues to support his nomination.

Mr. FRIST. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Gray Hampton Miller, of Texas, to be United States District Judge for the Southern District of Texas? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. DAYTON), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), the Senator from Wisconsin (Mr. KOHL), the Senator from Illinois (Mr. OBAMA), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''aye.''

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

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 93 Ex.]

YEAS—93

Akaka	Dodd	Martinez
Alexander	Dole	McCain
Allard	Domenici	McConnell
Allen	Dorgan	Menendez
Baucus	Durbin	Mikulski
Bayh	Ensign	Murkowski
Bennett	Enzi	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Bond	Frist	Pryor
Boxer	Graham	Reed
Brownback	Grassley	Reid
Bunning	Gregg	Roberts
Burns	Hagel	Salazar
Burr	Harkin	Santorum
Byrd	Hatch	Sarbanes
Cantwell	Hutchison	Schumer
Carper	Inhofe	Sessions
Chafee	Inouye	Shelby
Chambliss	Isakson	Smith
Clinton	Johnson	Snowe
Coburn	Kennedy	Specter
Cochran	Kyl	Stabenow
Coleman	Landrieu	Stevens
Collins	Lautenberg	Sununu
Conrad	Leahy	Talent
Cornyn	Levin	Thomas
Craig	Lieberman	Thune
Crapo	Lincoln	Voinovich
DeMint	Lott	Warner
DeWine	Lugar	Wyden

NOT VOTING—7

Dayton	Kohl	Vitter
Jeffords	Obama	
Kerry	Rockefeller	

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 4939, for debate only, until 2:15 p.m.

The clerk will state the bill by title.

The bill clerk read as follows:

A bill (H.R. 4939), making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

The Senate proceeded to consider the bill, which was reported by the Committee on Appropriations, with an amendment.

[Omit the part shown in black brackets and insert the part shown in italic.]

H.R. 4939

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

[That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

[TITLE I—GLOBAL WAR ON TERROR SUPPLEMENTAL APPROPRIATIONS

[CHAPTER 1

[DEPARTMENT OF AGRICULTURE

[FOREIGN AGRICULTURAL SERVICE

[PUBLIC LAW 480 TITLE II GRANTS

[For an additional expenses for ''Public Law 480 Title II Grants'', during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $350,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 2

[DEPARTMENT OF DEFENSE

[DEPARTMENT OF DEFENSE—MILITARY

[MILITARY PERSONNEL

[MILITARY PERSONNEL, ARMY

[For an additional amount for ''Military Personnel, Army'', $6,506,223,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY PERSONNEL, NAVY

[For an additional amount for ''Military Personnel, Navy'', $1,061,724,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY PERSONNEL, MARINE CORPS

[For an additional amount for ''Military Personnel, Marine Corps'', $834,122,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY PERSONNEL, AIR FORCE

[For an additional amount for ''Military Personnel, Air Force'', $1,145,363,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESERVE PERSONNEL, ARMY

[For an additional amount for ''Reserve Personnel, Army'', $166,070,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESERVE PERSONNEL, NAVY

[For an additional amount for ''Reserve Personnel, Navy'', $110,412,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESERVE PERSONNEL, MARINE CORPS

[For an additional amount for ''Reserve Personnel, Marine Corps'', $10,327,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESERVE PERSONNEL, AIR FORCE

[For an additional amount for ''Reserve Personnel, Air Force'', $1,940,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[NATIONAL GUARD PERSONNEL, ARMY

[For an additional amount for ''National Guard Personnel, Army'', $96,000,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[NATIONAL GUARD PERSONNEL, AIR FORCE

[For an additional amount for ''National Guard Personnel, Air Force'', $1,200,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE

[OPERATION AND MAINTENANCE, ARMY

[For an additional amount for ''Operation and Maintenance, Army'', $18,380,310,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, NAVY

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for ''Operation and Maintenance, Navy'', $2,793,600,000: *Provided*, That up to $75,020,000 shall be available for the Department of Homeland Security, ''United States Coast Guard, Operating Expenses'': *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, MARINE CORPS

[For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,722,911,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, AIR FORCE

[For an additional amount for ''Operation and Maintenance, Air Force'', $5,328,869,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, DEFENSE-WIDE

[For an additional amount for ''Operation and Maintenance, Defense-Wide'', $3,259,929,000, of which—

[(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom;

[(2) not to exceed $10,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes;

[(3) not to exceed $1,200,000,000 to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: *Provided*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph; and

[(4) not to exceed $44,500,000 for Cooperative Threat Reduction:

[*Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, ARMY RESERVE

[For an additional amount for ''Operation and Maintenance, Army Reserve'', $100,100,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, NAVY RESERVE

[For an additional amount for ''Operation and Maintenance, Navy Reserve'', $236,509,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

[For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $55,675,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, AIR FORCE RESERVE

[For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $18,563,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

[For an additional amount for ''Operation and Maintenance, Army National Guard'', $178,600,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

[For an additional amount for ''Operation and Maintenance, Air National Guard'', $30,400,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[AFGHANISTAN SECURITY FORCES FUND

[(INCLUDING TRANSFER OF FUNDS)

[For the ''Afghanistan Security Forces Fund'', $1,851,833,000, to remain available until September 30, 2007: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Office of Security Cooperation—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further*, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[IRAQ SECURITY FORCES FUND

[(INCLUDING TRANSFER OF FUNDS)

[For the ''Iraq Security Forces Fund'', $3,007,000,000, to remain available until September 30, 2007: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further*, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT

[AIRCRAFT PROCUREMENT, ARMY

[For an additional amount for ''Aircraft Procurement, Army'', $533,200,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MISSILE PROCUREMENT, ARMY

[For an additional amount for ''Missile Procurement, Army'', $203,300,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

[For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $1,983,351,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT OF AMMUNITION, ARMY

[For an additional amount for ''Procurement of Ammunition, Army'', $829,679,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OTHER PROCUREMENT, ARMY

[For an additional amount for ''Other Procurement, Army'', $7,528,657,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[AIRCRAFT PROCUREMENT, NAVY

[For an additional amount for ''Aircraft Procurement, Navy'', $293,980,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[WEAPONS PROCUREMENT, NAVY

[For an additional amount for ''Weapons Procurement, Navy'', $90,800,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

[For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $330,996,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OTHER PROCUREMENT, NAVY

[For an additional amount for ''Other Procurement, Navy'', $111,719,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT, MARINE CORPS

[For an additional amount for ''Procurement, Marine Corps'', $3,260,582,000, to remain available until September 30, 2008: *Provided*, That the amount provided under this

heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[AIRCRAFT PROCUREMENT, AIR FORCE

[For an additional amount for ''Aircraft Procurement, Air Force'', $663,595,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT OF AMMUNITION, AIR FORCE

[For an additional amount for ''Procurement of Ammunition, Air Force'', $29,047,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OTHER PROCUREMENT, AIR FORCE

[For an additional amount for ''Other Procurement, Air Force'', $1,489,192,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT, DEFENSE-WIDE

[For an additional amount for ''Procurement, Defense-Wide'', $331,353,000, to remain available until September 30, 2008: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

[For an additional amount for ''Research, Development, Test and Evaluation, Army'', $424,177,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

[For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $126,845,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

[For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $305,110,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

[For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $145,921,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[REVOLVING AND MANAGEMENT FUNDS

[DEFENSE WORKING CAPITAL FUNDS

[For an additional amount for ''Defense Working Capital Funds'', $502,700,000: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OTHER DEPARTMENT OF DEFENSE PROGRAMS

[DEFENSE HEALTH PROGRAM

[For an additional amount for ''Defense Health Program'', $1,153,562,000 (reduced by $20,000,000) (increased by $20,000,000) for operation and maintenance: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $156,800,000, to remain available until expended: *Provided,* That these funds may be used only for such activities related to Afghanistan and the Central Asia area: *Provided further,* That the Secretary of Defense may transfer such funds only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: *Provided further,* That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OFFICE OF THE INSPECTOR GENERAL

[For an additional amount for ''Office of the Inspector General'', $6,120,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RELATED AGENCIES

[INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

[For an additional amount for the ''Intelligence Community Management Account'', $158,875,000: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[GENERAL PROVISIONS—THIS CHAPTER

[(TRANSFER OF FUNDS)

[SEC. 1201. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $2,000,000,000 of the funds made available to the Department of Defense in this chapter: *Provided,* That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: *Provided further,* That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2006, except for the fourth proviso.

[SEC. 1202. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this Act under the heading ''Drug Interdiction and Counter-Drug Activities, Defense'', not to exceed $40,000,000 may be made available for support for counter-drug activities of the Governments of Afghanistan and Pakistan: *Provided,* That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

[(b) TYPES OF SUPPORT.—(1) Except as specified in subsections (b)(2) and (b)(3) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Law 106–398 and Public Law 108–136), and conditions on the provision of support as contained in such section 1033 shall apply for fiscal year 2006.

[(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to such Governments for counter-drug activities.

[(3) For the Government of Afghanistan, the Secretary of Defense may also provide individual and crew-served weapons, and ammunition for counter-drug security forces.

[SEC. 1203. Notwithstanding 10 U.S.C. 2208(l), the total amount of advance billings rendered or imposed for all working capital funds of the Department of Defense in fiscal year 2006 shall not exceed $1,500,000,000: *Provided,* That the amounts made available pursuant to this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[SEC. 1204. In addition to amounts authorized in section 1202(a) of Public Law 109–163, from funds made available in this chapter to the Department of Defense, not to exceed $423,000,000 may be used to fund the Commander's Emergency Response Program and for a similar program to assist the people of Afghanistan, to remain available until December 31, 2007.

[SEC. 1205. Supervision and administration costs associated with a construction project funded with ''Afghanistan Security Forces Fund'' or ''Iraq Security Forces Fund'' appropriations may be obligated at the time a construction contract is awarded: *Provided,* That for the purpose of this section, supervision and administration costs include all in-house Government costs.

[SEC. 1206. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

[CHAPTER 3

[BILATERAL ECONOMIC ASSISTANCE

[FUNDS APPROPRIATED TO THE PRESIDENT

[UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

[CHILD SURVIVAL AND HEALTH PROGRAMS FUND

[For an additional amount for ''Child Survival and Health Programs Fund'', $5,300,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DEVELOPMENT ASSISTANCE

[For an additional amount for ''Development Assistance'', $10,500,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[INTERNATIONAL DISASTER FAMINE ASSISTANCE

[For an additional amount for ''International Disaster and Famine Assistance'', $136,290,000, to remain until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

[For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $61,600,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OTHER BILATERAL ECONOMIC ASSISTANCE

[ECONOMIC SUPPORT FUND

[For an additional amount for ''Economic Support Fund'', $1,584,500,000 (reduced by $10,000,000) (increased by $10,000,000), to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DEPARTMENT OF STATE

[DEMOCRACY FUND

[For an additional amount for ''Democracy Fund'', $10,000,000 for the advancement of democracy in Iran, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

[For an additional amount for ''International Narcotics Control and Law Enforcement'', $107,700,000 (reduced by $26,300,000) (increased by $26,300,000), to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MIGRATION AND REFUGEE ASSISTANCE

[For an additional amount for ''Migration and Refugee Assistance'', $51,200,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DEPARTMENT OF THE TREASURY

[INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

[For an additional amount for ''International Affairs Technical Assistance'', $13,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY ASSISTANCE

[FUNDS APPROPRIATED TO THE PRESIDENT

[PEACEKEEPING OPERATIONS

[For an additional amount for ''Peacekeeping Operations'', $123,000,000 (increased by $50,000,000), to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[GENERAL PROVISIONS—THIS CHAPTER

[(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

[SEC. 1301. Funds appropriated or made available by transfer in this chapter may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236).

[SEC. 1302. Of the funds made available under the heading ''Iraq Relief and Reconstruction Fund'' in chapter 2 of title II of Public Law 108–106, $185,500,000 is hereby transferred to and merged with the appropriation for ''Economic Support Fund'' contained in this Act: *Provided,* That the amount transferred by this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[(RESCISSION OF FUNDS)

[SEC. 1303. Of the funds made available for Coalition Solidarity Initiative under the heading ''Peacekeeping Operations'' in chapter 2 of title II of division A of Public Law 109–13, $17,000,000 is rescinded.

[SEC. 1304. Notwithstanding any other provision of law, amounts under the heading ''Iraq Relief and Reconstruction Fund'' in title II of Public Law 108–106 shall remain available for one additional year from the date on which the availability of funds would otherwise have expired, if such funds are initially obligated before the expiration of the period of availability provided herein: *Provided,* That, notwithstanding section 2207(d) of Public Law 108–106, requirements of section 2207 of Public Law 108–106 shall expire on October 1, 2008.

[CHAPTER 4

[DEPARTMENT OF HOMELAND SECURITY

[UNITED STATES COAST GUARD

[OPERATING EXPENSES

[For an additional amount for ''Operating Expenses'', $26,692,000: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 5

[DEPARTMENT OF DEFENSE

[MILITARY CONSTRUCTION

[MILITARY CONSTRUCTION, ARMY

[For an additional amount for ''Military Construction, Army'', $287,100,000, to remain available until September 30, 2007: *Provided,* That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: *Provided further,* That none of the funds provided under this heading may be obligated or expended until after that date on which the Secretary of Defense submits an updated master plan for overseas military infrastructure to the Committees on Appropriations of the House of Representatives and Senate: *Provided further,* That, subject to the preceding proviso, $60,000,000 of the funds provided under this heading may not be obligated or expended until after that date on which the Secretary of Defense submits a detailed plan for Counter IED/Urban Bypass Roads, Iraq, to the Committees on Appropriations of the House of Representatives and Senate.

[MILITARY CONSTRUCTION, AIR FORCE

[For an additional amount for ''Military Construction, Air Force'', $35,600,000, to remain available until September 30, 2007: *Provided,* That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: *Provided further,* That none of the funds provided under this heading may be obligated or expended until after that date on which the Secretary of Defense submits an updated master plan for overseas military infrastructure to the Committees on Appropriations of the House of Representatives and Senate.

[GENERAL PROVISION—THIS CHAPTER

[SEC. 1501. The matter under the heading ''Veterans Health Administration—Medical Services'' in chapter 7 of title I of division B of Public Law 109–148 is amended by inserting after ''calendar year 2005'' the following: ''and for unanticipated costs related to the Global War on Terror'': *Provided,* That the provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 6

[DEPARTMENT OF JUSTICE

[LEGAL ACTIVITIES

[SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

[For an additional amount for ''Salaries and Expenses, United States Attorneys'', $3,000,000: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[FEDERAL BUREAU OF INVESTIGATION

[SALARIES AND EXPENSES

[For an additional amount for ''Salaries and Expenses'', $99,000,000, to remain available until September 30, 2007: *Provided,* That no funding provided in this Act shall be available for obligation for a new or enhanced information technology program unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations that the information technology program has appropriate

program management and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice and Federal Bureau of Investigation: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DRUG ENFORCEMENT ADMINISTRATION

[SALARIES AND EXPENSES

[For an additional amount for ''Salaries and Expenses'', $5,000,000 (increased by $9,200,000), to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

[SALARIES AND EXPENSES

[For an additional amount for ''Salaries and Expenses'', $4,100,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DEPARTMENT OF STATE AND RELATED AGENCY

[DEPARTMENT OF STATE

[ADMINISTRATION OF FOREIGN AFFAIRS

[DIPLOMATIC AND CONSULAR PROGRAMS

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for ''Diplomatic and Consular Programs'', $1,380,500,000, to remain available until September 30, 2007: *Provided*, That of the amount made available under this heading, $1,326,000 shall be available for transfer to the United States Institute of Peace: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OFFICE OF INSPECTOR GENERAL

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for ''Office of Inspector General'', $25,300,000, to remain available until September 2007, of which $24,000,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

[For an additional amount for ''Educational and Cultural Exchange Programs'', $5,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[INTERNATIONAL ORGANIZATIONS

[CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING ACTIVITIES

[For an additional amount for ''Contributions for International Peacekeeping Activities'', $129,800,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RELATED AGENCY

[BROADCASTING BOARD OF GOVERNORS

[INTERNATIONAL BROADCASTING OPERATIONS

[For an additional amount for ''International Broadcasting Operations'', $7,600,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[BROADCASTING CAPITAL IMPROVEMENTS

[For an additional amount for ''Broadcasting Capital Improvements'', $28,500,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[GENERAL PROVISION—THIS CHAPTER

[SEC. 1601. Funds appropriated by this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947.

[CHAPTER 7

[DEPARTMENT OF THE TREASURY

[DEPARTMENTAL OFFICES

[SALARIES AND EXPENSES

[For an additional amount for ''Salaries and Expenses'', $1,800,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[TITLE II—FURTHER HURRICANE DISASTER RELIEF AND RECOVERY

[CHAPTER 1

[DEPARTMENT OF AGRICULTURE

[EXECUTIVE OPERATIONS

[WORKING CAPITAL FUND

[For an additional amount for ''Working Capital Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $25,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[AGRICULTURAL RESEARCH SERVICE

[BUILDINGS AND FACILITIES

[For an additional amount for ''Agricultural Research Service, Buildings and Facilities'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[NATURAL RESOURCES CONSERVATION SERVICE

[EMERGENCY WATERSHED PROTECTION PROGRAM

[For an additional amount for ''Emergency Watershed Protection Program'' $10,000,000, to remain available until September 30, 2008, for the purchase of easements on floodplain lands in disaster areas affected by Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 2

[DEPARTMENT OF DEFENSE

[DEPARTMENT OF DEFENSE—MILITARY

[MILITARY PERSONNEL

[MILITARY PERSONNEL, ARMY

[For an additional amount for ''Military Personnel, Army'', $2,125,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY PERSONNEL, NAVY

[For an additional amount for ''Military Personnel, Navy'', $22,002,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY PERSONNEL, MARINE CORPS

[For an additional amount for ''Military Personnel, Marine Corps'', $3,992,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY PERSONNEL, AIR FORCE

[For an additional amount for ''Military Personnel, Air Force'', $21,610,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESERVE PERSONNEL, ARMY

[For an additional amount for ''Reserve Personnel, Army'', $4,071,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESERVE PERSONNEL, NAVY

[For an additional amount for ''Reserve Personnel, Navy'', $10,200,000 for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESERVE PERSONNEL, MARINE CORPS

[For an additional amount for ''Reserve Personnel, Marine Corps'', $2,176,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of

the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESERVE PERSONNEL, AIR FORCE

[For an additional amount for ''Reserve Personnel, Air Force'', $94,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[NATIONAL GUARD PERSONNEL, ARMY

[For an additional amount for ''National Guard Personnel, Army'', $1,304,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[NATIONAL GUARD PERSONNEL, AIR FORCE

[For an additional amount for ''National Guard Personnel, Air Force'', $1,408,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE

[OPERATION AND MAINTENANCE, NAVY

[For an additional amount for ''Operation and Maintenance, Navy'', $29,913,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, AIR FORCE

[For an additional amount for ''Operation and Maintenance, Air Force'', $37,359,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, NAVY RESERVE

[For an additional amount for ''Operation and Maintenance, Navy Reserve'', $12,755,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, AIR FORCE RESERVE

[For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $1,277,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

[For an additional amount for ''Operation and Maintenance, Army National Guard'', $42,307,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT

[PROCUREMENT OF AMMUNITION, ARMY

[For an additional amount for ''Procurement of Ammunition, Army'', $700,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OTHER PROCUREMENT, ARMY

[For an additional amount for ''Other Procurement, Army'', $9,136,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[AIRCRAFT PROCUREMENT, NAVY

[For an additional amount for ''Aircraft Procurement, Navy'', $579,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

[For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $899,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[SHIPBUILDING AND CONVERSION, NAVY

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for ''Shipbuilding and Conversion, Navy'', $775,236,000 to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, which shall be available for transfer within this account to replace destroyed or damaged equipment; prepare and recover naval vessels under contract; and provide for cost adjustments for naval vessels for which funds have been previously appropriated: *Provided,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers within this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OTHER PROCUREMENT, NAVY

[For an additional amount for ''Other Procurement, Navy'', $85,040,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[AIRCRAFT PROCUREMENT, AIR FORCE

[For an additional amount for ''Aircraft Procurement, Air Force'', $13,000,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PROCUREMENT, DEFENSE-WIDE

[For an additional amount for ''Procurement, Defense-Wide'', $2,797,000 (increased by $2,000,000), to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

[For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $12,000,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

[For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $6,250,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

[For an additional amount for ''Research, Development, Test and Evaluation, Defense-

Wide'', $730,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[REVOLVING AND MANAGEMENT FUNDS

[DEFENSE WORKING CAPITAL FUNDS

[For an additional amount for ''Defense Working Capital Funds'', $1,222,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[NATIONAL DEFENSE SEALIFT FUND

[For an additional amount for ''National Defense Sealift Fund'', $10,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[TRUST FUNDS

[GENERAL FUND PAYMENT, SURCHARGE COLLECTIONS, SALES OF COMMISSARY STORES, DEFENSE

[For an additional amount for ''General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense'', $10,530,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[OTHER DEPARTMENT OF DEFENSE PROGRAMS

[DEFENSE HEALTH PROGRAM

[For an additional amount for ''Defense Health Program'', $33,881,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[GENERAL PROVISION—THIS CHAPTER

[SEC. 2201. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

[CHAPTER 3

[DEPARTMENT OF DEFENSE—CIVIL

[DEPARTMENT OF THE ARMY

[CORPS OF ENGINEERS—CIVIL

[CONSTRUCTION

[For additional amounts for ''Construction'' to reduce the risk of storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands, $100,000,000, to remain available until expended: *Provided*, That such sums shall be subject to authorization: *Provided further*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than July 30, 2006: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[FLOOD CONTROL AND COASTAL EMERGENCIES

[For additional amounts for ''Flood Control and Coastal Emergencies'', as authorized by section of the Flood Control Act of August 18, 1941, as amended (33 U.S.C. 701n), for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $1,360,000,000, to remain available until expended: *Provided*, That such sums shall be subject to authorization: *Provided further*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a monthly report to the House and Senate Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than July 30, 2006: *Provided further*, That none of the funds provided herein shall be available until the non-federal interests have entered into binding agreements with the Secretary of the Army to pay 100 percent of the operation, maintenance, repair, replacement and rehabilitation costs of the projects: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 4

[DEPARTMENT OF HOMELAND SECURITY

[OFFICE OF INSPECTOR GENERAL

[(INCLUDING TRANSFERS OF FUNDS)

[For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $13,500,000, to remain available until September 30, 2007: *Provided*, That these amounts shall be transferred to the Offices of Inspector General of the Departments of Agriculture, Defense, Education, Health and Human Services, Housing and Urban Development, Justice, Labor and Transportation, and the Environmental Protection Agency, the General Services Administration, and the Social Security Administration to carry out necessary audits and investigations of funding and programs undertaken by the respective agencies for response and recovery from the 2005 Gulf Coast hurricanes: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CUSTOMS AND BORDER PROTECTION

[SALARIES AND EXPENSES

[For an additional amount for 'Salaries and Expenses' to provide for the relocation of personnel and equipment related to the New Orleans laboratory facility and for the repair and replacement of critical equipment and property damaged or caused by Hurricane Katrina and other hurricanes of the 2005 season, $12,900,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CONSTRUCTION

[For an additional amount for ''Construction'' to rebuild and repair structures damaged by Hurricane Katrina and other hurricanes of the 2005 season, $4,800,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[UNITED STATES COAST GUARD

[OPERATING EXPENSES

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for ''Operating Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $14,300,000, to remain available until September 30, 2007, of which up to $267,000 may be transferred to ''Environmental Compliance and Restoration'' to be used for environmental cleanup and restoration of Coast Guard facilities; and of which up to $500,000 may be transferred to ''Research, Development, Test, and Evaluation'' to be used for salvage and repair of research and development equipment and facilities: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

[For an additional amount for ''Acquisition, Construction, and Improvements'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $80,755,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[FEDERAL EMERGENCY MANAGEMENT AGENCY

[ADMINISTRATIVE AND REGIONAL OPERATIONS

[For an additional amount for ''Administrative and Regional Operations'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $70,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[PREPAREDNESS, MITIGATION, RESPONSE AND RECOVERY

[For an additional amount for ''Preparedness, Mitigation, Response and Recovery'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $10,000,000: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DISASTER RELIEF

[For an additional amount for ''Disaster Relief'' for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $9,550,000,000 (reduced by $2,000,000), to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for ''Disaster Assistance Direct Loan Program Account'' for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), $151,000,000, to be used to assist local governments that were affected by Hurricane Katrina and other hurricanes of the 2005 season in providing essential services, of which $1,000,000 is for administrative expenses to carry out the direct loan program: *Provided,* That such funds may be used to subsidize gross obligations for the principal amount of direct loans not to exceed $200,000,000: *Provided further,* That notwithstanding section 417(b) of such Act, the amount of any such loan issued pursuant to this section may exceed $5,000,000: *Provided further,* That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled: *Provided further,* That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further,* That of the amount provided in this chapter under the heading Disaster Relief'', up to $150,000,000 may be transferred to and merged with the funds provided under this heading, to be used to subsidize gross obligations for the principal amount of direct loans not to exceed $200,000,000: *Provided further,* That the amounts provided or transferred under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[GENERAL PROVISIONS—THIS CHAPTER

[SEC. 2401. The Federal Emergency Management Agency may provide funds to a State or local government or, as necessary, assume an existing agreement from such unit of government, to pay for utility costs resulting from the provision of temporary housing units to evacuees from Hurricanes Katrina and Rita if the State or local government has previously arranged to pay for such utilities on behalf of the evacuees for the term of any leases, not to exceed 12 months, contracted by or prior to February 7, 2006, notwithstanding section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174): *Provided,* That the Federal share of the costs eligible to be paid shall be 100 percent.

[SEC. 2402. (a) Title III of Public Law 109–90 is amended under the heading ''National Flood Insurance Fund'' by striking ''$30,000,000 for interest on Treasury borrowings'' and inserting ''such sums as necessary for interest on Treasury borrowings''.

[(b) The provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 5

[DEPARTMENT OF THE INTERIOR

[UNITED STATES FISH AND WILDLIFE SERVICE

[CONSTRUCTION

[For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $132,400,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[NATIONAL PARK SERVICE

[HISTORIC PRESERVATION FUND

[For an additional amount for the ''Historic Preservation Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $3,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CONSTRUCTION

[For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $55,400,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[UNITED STATES GEOLOGICAL SURVEY

[SURVEYS, INVESTIGATIONS, AND RESEARCH

[For an additional amount for ''Surveys, Investigations, and Research'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $10,200,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MINERALS MANAGEMENT SERVICE

[ROYALTY AND OFFSHORE MINERALS MANAGEMENT

[For an additional amount for ''Royalty and Offshore Minerals Management'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $15,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[ENVIRONMENTAL PROTECTION AGENCY

[ENVIRONMENTAL PROGRAMS AND MANAGEMENT

[For an additional amount for ''Environmental Programs and Management'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $6,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[LEAKING UNDERGROUND STORAGE TANK PROGRAM

[For an additional amount for the ''Leaking Underground Storage Tank Program'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $7,000,000, to remain available until September 30, 2007: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DEPARTMENT OF AGRICULTURE

[FOREST SERVICE

[NATIONAL FOREST SYSTEM

[For an additional amount for the ''National Forest System'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until expended: *Provided,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 6

[DEPARTMENT OF DEFENSE

[MILITARY CONSTRUCTION

[MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

[For an additional amount for ''Military Construction, Navy and Marine Corps'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $28,880,000 (increased by $15,890,000), to remain available until September 30, 2010: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY CONSTRUCTION, AIR FORCE

[For an additional amount for ''Military Construction, Air Force'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $57,300,000 (increased by $40,000,000), to remain available until September 30, 2010: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

[For an additional amount for ''Military Construction, Army National Guard'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $67,800,000, to remain available until September 30, 2010: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further,* That the amount provided under this heading in the chapter 7 of title I of division B of Public Law 109–148 (119 Stat. 2770) shall remain available until September 30, 2010: *Provided further,* That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY CONSTRUCTION, AIR NATIONAL GUARD

[For an additional amount for ''Military Construction, Air National Guard'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $5,800,000, to remain available until September 30, 2010: *Provided,* That notwithstanding any other provision of law,

such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[MILITARY CONSTRUCTION, NAVY RESERVE

[(INCLUDING RESCISSION OF FUNDS)

[For an additional amount for ''Military Construction, Navy Reserve'', for necessary expenses related to consequences of Hurricane Katrina and other hurricanes of the 2005 season, $24,270,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That the amount provided under the heading ''Military Construction, Naval Reserve'' in chapter 7 of title I of division B of Public Law 109–148 (119 Stat. 2771) shall remain available until September 30, 2010, except that, of such amount $49,530,000 are rescinded: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DEPARTMENT OF VETERANS AFFAIRS

[DEPARTMENTAL ADMINISTRATION

[CONSTRUCTION, MAJOR PROJECTS

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for ''Construction, Major Projects'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $550,000,000, to remain available until expended: *Provided*, That the foregoing amount shall only be available upon enactment, by June 30, 2006, of authority under section 8104 of title 38, United States Code: *Provided further*, That up to $275,000,000 of the amount provided under this heading may (at any time after the enactment of this Act and without regard to the preceding proviso) be transferred by the Secretary of Veterans Affairs to the ''Medical Services'' account, to be available only for unanticipated costs related to the Global War on Terror: *Provided further*, That the Secretary of Veterans Affairs shall, not fewer than 15 days prior to making a transfer under the authority in the preceding proviso, notify the Committees on Appropriations of the Senate and House of Representatives in writing of the transfer: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 7

[DEPARTMENT OF JUSTICE

[LEGAL ACTIVITIES

[SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

[For an additional amount for ''Salaries and Expenses, General Legal Activities'', $2,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

[For an additional amount for ''Salaries and Expenses, United States Attorneys'', $5,000,000, to remain available until September 30, 2007: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[DEPARTMENT OF COMMERCE

[NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

[PROCUREMENT, ACQUISITION AND CONSTRUCTION

[For an additional amount for ''Procurement, Acquisition and Construction'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $11,800,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[SCIENCE

[NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[EXPLORATION CAPABILITIES

[For an additional amount for ''Exploration Capabilities'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $30,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[RELATED AGENCIES

[SMALL BUSINESS ADMINISTRATION

[DISASTER LOANS PROGRAM ACCOUNT

[(INCLUDING TRANSFERS OF FUNDS)

[For an additional amount for ''Disaster Loans Program Account'' for the cost of direct loans authorized by section 7(b) of the Small Business Act, $1,254,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, of the amount provided under this heading, up to $190,000,000 may be transferred to and merged with appropriations for ''Small Business Administration, Salaries and Expenses'' for administrative expenses to carry out the disaster loan program: *Provided further*, That none of the funds provided under this heading may be used for indirect administrative expenses: *Provided further*, That, of the amount provided under this heading, $712,000,000 is hereby transferred to ''Federal Emergency Management Agency, Disaster Relief'' to reimburse that account for funds transferred to this account by Public Law 109–174: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[CHAPTER 8

[DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[COMMUNITY PLANNING AND DEVELOPMENT

[COMMUNITY DEVELOPMENT FUND

[(INCLUDING TRANSFER OF FUNDS)

[For an additional amount for the ''Community development fund'', for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in the most impacted and distressed areas related to the consequences of hurricanes in the Gulf of Mexico in 2005 in States for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in conjunction with Hurricane Katrina, Rita, or Wilma, $4,200,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93–383): *Provided*, That funds made available under this heading shall be distributed to address the most critical recovery requirements notwithstanding funding limitations under this heading in title I of division B of Public Law 109–148: *Provided further*, That funds provided under this heading shall be administered through an entity or entities designated by the Governor of each State: *Provided further*, That such funds may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State under this heading: *Provided further*, That each State may use up to five percent of its allocation for administrative costs: *Provided further*, That not less than $1,000,000,000 from funds made available under this heading shall be used for repair, rehabilitation, and reconstruction (including demolition, site clearance and remediation) of the affordable rental housing stock (including public and other HUD-assisted housing) in the impacted areas: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by the State that such waiver is required to facilitate the use of such funds or guarantees, and a finding by the Secretary that such waiver would not be inconsistent with the overall purpose of the statute, as modified: *Provided further*, That the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that at least 50 percent of the funds made available under this heading must benefit primarily persons of low and moderate income unless the Secretary otherwise makes a finding of compelling need: *Provided further*, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: *Provided further*, That every waiver made by the Secretary must be reconsidered according to the three previous provisos on the two-year anniversary of the day the Secretary published the waiver in the Federal Register: *Provided further*, That prior to the obligation of funds each State shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: *Provided further*, That prior to the obligation of funds to each State, the Secretary shall ensure that such plan gives priority to infrastructure development and rehabilitation and the rehabilitation and reconstruction of the affordable rental housing stock including public and other HUD-assisted housing: *Provided further*, That each State will report quarterly to the Committees on Appropriations on all awards and uses of funds made available under this heading, including specifically identifying all awards of

sole-source contracts and the rationale for making the award on a sole-source basis: *Provided further*, That the Secretary shall notify the Committees on Appropriations on any proposed allocation of any funds and any related waivers made pursuant to these provisions under this heading no later than 5 days before such waiver is made: *Provided further*, That the Secretary shall establish procedures to prevent recipients from receiving any duplication of benefits and report quarterly to the Committees on Appropriations with regard to all steps taken to prevent fraud and abuse of funds made available under this heading including duplication of benefits: *Provided further*, That of the amounts made available under this heading, the Secretary may transfer a total of up to $15,000,000 to the Office of Inspector General and ''Management and Administration, Salaries and Expenses'' for costs associated with administration and oversight: *Provided further*, That none of the funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: *Provided further*, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[INDEPENDENT AGENCY

[GENERAL SERVICES ADMINISTRATION

[FEDERAL BUILDINGS FUND

[For an additional amount for ''Federal Buildings Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $37,000,000, from the General Fund and to remain available until expended: *Provided*, That notwithstanding 40 U.S.C. 3307, the Administrator of General Services is authorized to proceed with repairs and alterations for affected buildings: *Provided further*, That he amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[TITLE III—GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

[SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

[SEC. 3002. Notwithstanding subsection (b) of section 102 of title I of division B of Public Law 109–148 (119 Stat. 2748), the Secretary of Agriculture may provide financial and technical assistance in carrying out such section in an amount up to 100 percent Federal share, as provided in regulations implementing the emergency watershed protection program: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[SEC. 3003. Funds appropriated pursuant to this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

[(INCLUDING RESCISSION OF FUNDS)

[SEC. 3004. (a) RESCISSION.—Of the unobligated balances available for ''Immigration and Customs Enforcement—Automation Modernization'', $43,620,000 are rescinded.

[(b) APPROPRIATION.—For an additional amount for ''United States Secret Service—Salaries and Expenses'' for critical investigative and protective operations, $43,620,000: *Provided*, That none of the funds appropriated in this section or under the heading United States Secret Service ''Salaries and Expenses'' in any other Act may be used to support the position of the Chief Financial Officer until the Committees on Appropriations receive: (1) a comprehensive workload re-balancing report that includes funding and position requirements for current investigative and protective operations; (2) a comprehensive analysis of the methodology used to estimate current workloads and develop annual operating budgets; and (3) a budget formulation model for National Special Security Events: *Provided further*, That none of the funds appropriated in this section may be obligated until the Committees on Appropriations receive a revised Program, Project and Activity schedule based on current investigative and protective workload requirements, including a comprehensive analysis of the methodology used to estimate those requirements.

[SEC. 3005. (a) The matter under the heading ''Tenant-Based Rental Assistance'' in chapter 9 of title I of division B of Public Law 109–148 is amended—

[(1) in the first proviso, by striking ''or the Stewart B. McKinney Homeless Assistance Act (Public Law 100–77)'' and inserting ''the McKinney-Vento Homeless Assistance Act, section 221(d)(3), 221(d)(5), or 236 of the National Housing Act, or section 101 of the Housing and Urban Development Act of 1965''; and

[(2) in the second proviso, by inserting '', except that paragraph (7)(A) of such section shall not apply'' after ''1937''.

[(b) The provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

[SEC. 3006. Notwithstanding 49 U.S.C. 5336, any funds remaining available under Federal Transit Administration grant numbers NY–03–345–00, NY–03–0325–00, NY–03–0405, NY–90–X398–00, NY–90–X373–00, NY–90–X418–00, NY–90–X465–00 together with an amount not to exceed $19,200,000 in urbanized area formula funds that were allocated by the New York Metropolitan Transportation Council to the New York City Department of Transportation as a designated recipient under 49 U.S.C. 5307 may be made available to the New York Metropolitan Transportation Authority for eligible capital projects authorized under 49 U.S.C. 5307 and 5309.

[SEC. 3007. The referenced statement of the managers under the heading ''Community Development Fund'' in title II of division I of Public Law 108–447 is deemed to be amended—

[(1) with respect to item number 536, by striking ''an economic development planning study'' and inserting ''the Main Street Revitalization Project''; and

[(2) with respect to item number 444, by striking ''City of St. Petersburg, Florida for facilities construction and renovation for the Mid-Pinellas Science Center'' and inserting ''St. Petersburg College, City of Seminole, Florida for the development of a Science and Nature Park at St. Petersburg College''.

[SEC. 3008. (a) The second paragraph under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is amended by striking ''statement of managers accompanying this Act'' and inserting ''statement of managers correction for H.R. 3058 relating to the Economic Development Initiative submitted to the House of Representatives by the Chairman of the Committee on Appropriations of the House on November 18, 2005, and printed in the House section of the Congressional Record on such date''.

[(b) Section 5023 of title V of division B of Public Law 109–148 is amended by striking ''in title III of Public Law 109–115 (as in effect pursuant to H. Con. Res. 308, 109th Congress)'' and inserting ''in title III of division A of Public Law 109–115''.

[(c) Each amendment made by this section shall apply as if included in the amended public law on the date of its enactment.

[SEC. 3009. The statement of managers correction referenced in the second paragraph under the heading ''Community Development Fund'' in title III of division A of Public Law 109–115 is deemed to be amended—

[(1) with respect to item number 714, by striking ''construction of a senior center;'' and inserting ''renovation and buildout of a multipurpose center;'';

[(2) with respect to item number 850, by striking ''City of Lancaster, Pennsylvania'' and inserting ''in Pennsylvania''; and

[(3) with respect to item number 925, by striking ''Greenwood Partnership Alliance, South Carolina for the renovation of Old Federal Courthouse;'' and inserting ''City of Greenwood, South Carolina for the Emerald Triangle Project;''.

[SEC. 3010. Section 9001 of the Deficit Reduction Act of 2005 is amended—

[(1) in subsection (a), by striking ''for a 1-time only obligation and expenditure'';

[(2) in subsection (a)(2)—

[(A) by striking ''for fiscal year 2007''; and

[(B) by inserting before the period at the end the following: '', to remain available until September 30, 2007''; and

[(3) by striking subsection (b) and inserting the following:

[''(b) EMERGENCY DESIGNATION.—The amount provided under subsection (a)(2) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.''.

[SEC. 3011. (a) None of the funds made available in this Act or any other Act may be used to take any action under section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) or any other provision of law to approve or otherwise allow the acquisition of any leases, contracts, rights, or other obligations of P&O Ports by Dubai Ports World or any other legal entity affiliated with or controlled by Dubai Ports World.

[(b) Notwithstanding any other provision of law or any prior action or decision by or on behalf of the President under section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170), the acquisition of any leases, contracts, rights, or other obligations of P&O Ports by Dubai Ports World or any other legal entity affiliated with or controlled by Dubai Ports World is hereby prohibited and shall have no effect.

[(c) The limitation in subsection (a) and the prohibition in subsection (b) apply with respect to the acquisition of any leases, contracts, rights, or other obligations on or after January 1, 2006.

[(d) In this section:

[(1) The term ''P&O Ports'' means P&O Ports, North America, a United States subsidiary of the Peninsular and Oriental Steam Navigation Company, a company that is a national of the United Kingdom.

[(2) The term ''Dubai Ports World'' means Dubai Ports World, a company that is partly owned and controlled by the Government of the United Arab Emirates.

[SEC. 3012. (a) None of the funds appropriated in Public Law 109–102 or any prior Act making appropriations for foreign operations, export financing and related programs may be obligated or expended for assistance to the Palestinian Authority or a successor entity until the Secretary of State certifies to the Committees on Appropriations that such entity has demonstrated its commitment to the principles of nonviolence, the recognition of Israel, and the

acceptance of previous agreements and obligations, including the Roadmap.

[(b) None of the funds appropriated under the heading ''Economic Support Fund'' in Public Law 109–102 or any prior Act making appropriations for foreign operations, export financing and related programs may be obligated or expended for assistance to the West Bank and Gaza until the Secretary of State reviews the current assistance program, consults with the Committees on Appropriations, and submits a revised plan for such assistance: *Provided*, That such plan shall be submitted not later than April 30, 2006, and shall contain specific and appropriate steps to ensure that United States assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity.

[SEC. 3013. None of the funds made available by this Act may be used to prohibit registered and legal, but displaced, residents of the Gulf Coast region from the right to legally vote in any officially designated election of the Gulf Coast region.

[SEC. 3014. None of the funds made available in this Act may be used by the Government of the United States to enter into a basing rights agreement between the United States and Iraq.

[This Act may be cited as the ''Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006''.]

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I

GLOBAL WAR ON TERROR SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for ''Public Law 480 Title II Grants'', during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $350,000,000, to remain available until expended: Provided, That from this amount, to the maximum extent possible, funding shall be used to support the previously approved fiscal year 2006 programs under section 204(a)(2) of the Agricultural Trade Development and Assistance Act of 1954: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 2

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses'', $3,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $1,500,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $82,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $5,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $4,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $1,452,600,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Office of Inspector General'', $25,300,000, to remain available until September 30, 2007, of which $24,000,000 shall be transferred to the Special Inspector General for Iraq Reconstruction: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for ''Educational and Cultural Exchange Programs'', $5,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $69,800,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'' for programs and activities promoting democracy in Iran, $30,250,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISION—THIS CHAPTER

AUTHORIZATION OF FUNDS

SEC. 1201. Funds appropriated or made available by transfer in this chapter may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 10 of Public Law 91–672 (22 U.S.C. 2412), section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)) and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236).

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $6,665,284,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,071,474,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $860,872,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,195,713,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $150,570,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $115,712,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $13,192,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $3,440,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $121,550,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $6,200,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $17,594,410,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $2,826,693,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,589,911,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $6,057,408,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $2,879,899,000, of which—

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom;

(2) not to exceed $740,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: Provided, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph;

(3) not to exceed $36,500,000 for Cooperative Threat Reduction; and

(4) $75,000,000 shall be transferred to the Coast Guard ''Operating Expenses'' account:

Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $100,100,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $236,509,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $87,875,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $18,563,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $178,600,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $30,400,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Security Forces Fund'', $1,908,133,000, to remain available until September 30, 2007: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Office of Security Cooperation—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Iraq Security Forces Fund'', $3,703,000,000, to remain available until September 30, 2007: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers

from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Iraq Freedom Fund'', $25,000,000, to remain available for transfer until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $1,958,089,000, to remain available until September 30, 2008: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist U.S. forces in the defeat of improvised explosive devices: Provided further, That within 90 days of the enactment of this Act, a plan for the intended management and use of the Fund is provided to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 30 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon determination that all or part of the funds so transferred from this appropriation are not necessary for the purpose provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $533,200,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $203,300,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $1,592,451,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $829,679,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $6,286,145,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $412,169,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $63,351,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $327,126,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $140,144,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $2,576,467,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $679,515,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $29,047,000 to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,452,651,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $331,353,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $54,700,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $124,845,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $382,630,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $148,551,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $516,700,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,153,562,000 for operation and maintenance: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities'', $154,596,000, to remain available until expended: Provided, That these funds may be used only for such activities related to Afghanistan and the Central Asia area: Provided further, That the Secretary of Defense may transfer such funds only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: Provided further, That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $1,815,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER INDEPENDENT AGENCY

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for the ''Intelligence Community Management Account'', $158,875,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SPECIAL TRANSFER AUTHORITY

(TRANSFER OF FUNDS)

SEC. 1301. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $2,000,000,000 of the funds made available to the Department of Defense in this chapter: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2006, except for the fourth proviso: Provided further, That the amount made available by the transfer of funds in or pursuant to this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL TRANSFER AUTHORITY

(TRANSFER OF FUNDS)

SEC. 1302. Section 8005 of the Department of Defense Appropriations Act, 2006, (Public Law 109–148; 119 Stat. 2680), is amended by striking ''$3,750,000,000'' and inserting ''$4,350,000,000'': Provided, That the amount made available by the transfer of funds in or pursuant to this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEFENSE COOPERATION ACCOUNT

(TRANSFER OF FUNDS)

SEC. 1303. During fiscal year 2006 and from funds in the Defense Cooperation Account, the Secretary of Defense may transfer not to exceed $5,800,000 to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: Provided, That such amounts shall be available for the same time period as the appropriation to which transferred: Provided further, That the amount made available by the transfer of funds in or pursuant to this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

U.S. CONTRIBUTIONS TO NATO

SEC. 1304. Section 1005(c)(2) of the National Defense Authorization Act, Fiscal Year 2006 (Public Law 109–163) is amended by striking ''$289,447,000'' and inserting ''$345,547,000''.

COUNTER-DRUG ACTIVITIES

SEC. 1305. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this Act under the heading, ''Drug Interdiction and Counter-Drug Activities, Defense'', not to exceed $23,100,000 may be made available for support for counter-drug activities of the Governments of Afghanistan, Pakistan, and Kyrgyzstan: Provided, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—

(1) Except as specified in subsections (b)(2) and (b)(3) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Law 106–398 and Public Law 108–136), and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2006.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to said Governments for counter-drug activities.

(3) For the Government of Afghanistan, the Secretary of Defense may also provide individual and crew-served weapons, and ammunition for counter-drug security forces.

ADVANCE BILLING

SEC. 1306. Notwithstanding 10 U.S.C. 2208(l), the total amount of advance billings rendered or imposed for all working capital funds of the Department of Defense in fiscal year 2006 shall not exceed $1,200,000,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

COMMANDER'S EMERGENCY RESPONSE PROGRAM

SEC. 1307. In addition to amounts authorized in section 1202(a) of Public Law 109–163, from funds made available in this chapter to the Department of Defense, not to exceed $423,000,000 may be used to fund the Commander's Emergency Response Program and for a similar program to assist the people of Afghanistan, to remain available until December 31, 2007.

SUPERVISION AND ADMINISTRATION COSTS OF CONSTRUCTION PROJECTS

SEC. 1308. Supervision and administration costs associated with a construction project funded with Afghan Security Forces Fund or Iraq Security Forces Fund appropriations may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

PROHIBITION OF NEW START PROGRAMS

SEC. 1309. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

RETROACTIVE PAYMENT OF ADDITIONAL DEATH GRATUITY

SEC. 1310. (a) Effective as of January 6, 2006, and as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), subsection (d)(2) of section 1478 of title 10, United States Code, as added by section 664(b) of such Act (119 Stat. 3316), is amended by striking ''May 11, 2005'' and inserting ''August 31, 2005''.

(b) AVAILABILITY OF FUNDS.—Of the amounts appropriated or otherwise made available by this chapter for military personnel, an aggregate of $48,750,000 shall be available for the retroactive payment of death gratuity with respect to members of the Armed Forces as a result of the amendment made by subsection (a).

VOTING ASSISTANCE

SEC. 1311. (a) Congress recognizes the importance of ensuring that absent uniformed services voters, Department of Defense personnel, and their dependents have the opportunity to exercise their right to vote.

(b) IVAS BALLOT REQUEST PROGRAM.—

(1) The Interim Voting Assistance System (IVAS) Ballot Request Program shall be continued with respect to all Department of Defense personnel, and their families, covered by the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(2) Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the status of the program.

(c) FUNDING.—Of the amounts provided by this Act, $5,820,000 shall be available for the program referred to in subsection (b).

CHAPTER 4

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for ''Child Survival and Health Programs Fund'', $10,300,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEVELOPMENT ASSISTANCE

For an additional amount for ''Development Assistance'', $10,500,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''International Disaster and Famine Assistance'', $136,290,000,

to remain available until expended, of which up to $80,000 may be transferred to and merged with ''Operating Expenses of the United States Agency for International Development'', for associated administrative costs: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $141,600,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Economic Support Fund'', $1,757,500,000, to remain available until September 30, 2007, of which up to $11,000,000 may be used for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Afghanistan or otherwise of reducing any amounts owed to the United States or any agency of the United States by Afghanistan: Provided, That such amounts for the costs of modifying direct loans and guarantees shall not be considered ''assistance'' for the purposes of any provision of law limiting assistance to a country: Provided further, That the last proviso under the heading ''Economic Support Fund'' in title II of Public Law 109–102 and comparable provisions in prior Acts making appropriations for foreign operations, export financing, and related programs shall no longer be applicable to funds appropriated under such heading in this Act or any prior Act: Provided further, That of the funds available under this heading for assistance for Afghanistan, $5,000,000 shall be made available for agriculture and rural development programs in Afghanistan to be administered through a national consortium of agriculture colleges and land-grant universities: Provided further, That of the funds available under this heading for assistance for Iraq, not less than $75,000,000 shall be made available to the United States Agency for International Development for continued support for its Community Action Program in Iraq, of which not less than $10,000,000 shall be transferred to and merged with funds appropriated under the heading ''Iraq Relief and Reconstruction Fund'' in chapter 2 of title II of Public Law 108–106 and shall be made available for the Marla Ruzicka Iraqi War Victims Fund: Provided further, That funds made available under the previous proviso shall be in addition to funds appropriated by this Act that are available to the United States Agency for International Development for Iraq: Provided further, That funds appropriated under this heading that are made available for police and judicial reform in Haiti shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF STATE

DEMOCRACY FUND

For an additional amount for ''Democracy Fund'', $39,750,000, for programs and activities promoting democracy in Iran, to remain available until September 30, 2007: Provided, That funds appropriated under this heading shall be made available notwithstanding any other provision of law and shall be administered by the Middle East Partnership Initiative: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $107,700,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $110,200,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for ''United States Emergency Refugee and Migration Assistance Fund'', $20,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For an additional amount for ''International Affairs Technical Assistance'', $13,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $181,200,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

IRAQ RELIEF AND RECONSTRUCTION FUND

SEC. 1401. Chapter 2 of title II of Public Law 108–106 (117 Stat. 1225–1226), as amended by Public Law 108–309 (118 Stat. 1142–1143), is further amended under the heading ''Iraq Relief and Reconstruction Fund'' by—

(1)(A) striking ''$5,090,000,000'' and inserting ''$5,036,000,000'' for security and law enforcement;

(B) striking ''$1,960,000,000'' and inserting ''$2,349,800,000'' for justice, public safety infrastructure, and civil society;

(C) striking ''$4,455,000,000'' and inserting ''$4,220,000,000'' for the electric sector;

(D) striking ''$1,723,000,000'' and inserting ''$1,735,600,000'' for oil infrastructure;

(E) striking ''$2,361,000,000'' and inserting ''$2,131,100,000'' for water resources and sanitation;

(F) striking ''$500,000,000'' and inserting ''$465,500,000'' for transportation and telecommunications;

(G) striking ''$370,000,000'' and inserting ''$333,700,000'' for roads, bridges, and construction;

(H) striking ''$793,000,000'' and inserting ''$739,000,000'' for health care;

(I) striking ''$845,000,000'' and inserting ''$805,300,000'' for private sector development; and

(J) striking ''$342,000,000'' and inserting ''$410,000,000'' for education, refugees, human rights, and governance; and

(2) inserting before the period the following: '': Provided further, That amounts provided under this heading shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of the period of availability provided herein, except that after such initial obligation any subsequent obligation may be made without regard to the sectoral limitations set forth under this heading, as amended''.

ADMINISTRATIVE COSTS

SEC. 1402. To the extent not otherwise authorized, supervision and administrative costs of the Department of Defense associated with a construction project funded with the Iraq Relief and Reconstruction Fund may be obligated at the time a construction contract is awarded or, for pre-existing contracts, by September 30, 2006: Provided, That for the purposes of this section, supervision and administration costs include all in-house Government costs.

AUTHORIZATION OF FUNDS

SEC. 1403. Funds appropriated or made available by transfer in this chapter may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 10 of Public Law 91–672 (22 U.S.C. 2412), section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)) and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236).

PALESTINIAN AUTHORITY

SEC. 1404. Section 550 of Public Law 109–102 (119 Stat. 2217) is amended to read as follows:

''PROHIBITION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

''SEC. 550. PROHIBITION ON ASSISTANCE.—None of the funds appropriated by this Act or any prior Act making appropriations for foreign operations, export financing, and related programs, may be obligated or expended for assistance for the Palestinian Authority unless the Secretary of State determines, and so reports to the Committees on Appropriations, that the Palestinian Authority has—

''(1) publicly acknowledged Israel's right to exist as a Jewish state;

''(2) renounced violence; and

''(3) accepted and is adhering to all previous diplomatic Agreements and understandings with the United States Government, the Government of Israel, and the international community.''.

(RESCISSION)

SEC. 1405. Of the funds appropriated under the heading ''Subsidy Appropriation'' for the Export-Import Bank of the United States that are available for tied-aid grants in title I of Public Law 107–115 and under such heading in prior Acts making appropriations for foreign operations, export financing, and related programs, $13,200,000 are rescinded.

CHAPTER 5

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $26,692,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 6

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $214,344,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $28,200,000, to remain available until September 30, 2010: Provided, That such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for ''Military Construction, Defense-Wide'', $35,200,000, to remain available until September 30, 2010: Provided, That such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $1,800,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE II

FURTHER HURRICANE DISASTER RELIEF AND RECOVERY

CHAPTER 1

DEPARTMENT OF AGRICULTURE

EXECUTIVE OPERATIONS

WORKING CAPITAL FUND

For an additional amount for ''Working Capital Fund'', $25,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $445,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $15,600,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

BUILDINGS AND FACILITIES

For an additional amount for ''Buildings and Facilities'', $20,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $5,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

EMERGENCY CONSERVATION PROGRAM

For an additional amount for the ''Emergency Conservation Program'', $32,547,000, to remain available until expended, to provide assistance under the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.), for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For an additional amount for ''Emergency Watershed Protection Program'', $165,000,000, to remain available until expended, for emergency measures in disaster areas affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That notwithstanding any other provision of law, the Secretary, acting through the Natural Resources Conservation Service, using funds made available under this heading may provide financial and technical assistance to remove and dispose of debris and animal carcasses that could adversely affect health and safety on non-Federal land in a hurricane-affected county: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $1,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season for State Rural Development offices located in Mississippi and Louisiana: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for community facilities grants authorized under section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $150,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

NATURAL RESOURCES CONSERVATION SERVICE—COST SHARE REQUIREMENT

SEC. 2101. Notwithstanding any other provision of law, in carrying out the provisions of section 102 of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2748–2749), the Secretary may provide financial and technical assistance up to 100 percent Federal share: Provided, That the amount provided under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATURAL RESOURCES CONSERVATION SERVICE—VEHICLE DISPOSITION

SEC. 2102. Notwithstanding any other provision of law, the Chief of the Natural Resources Conservation Service (NRCS) may enter into agreements with organizations or State or local units of government affected by Hurricane Katrina and other hurricanes of the 2005 season, that provide for NRCS to donate used vehicles to the organization or to the State or local unit of government.

RURAL DEVELOPMENT—EMERGENCY AUTHORITIES

SEC. 2103. The Secretary of Agriculture may continue to use any of the authorities provided in section 105 of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2749–2750), for a period not to exceed 24 additional months: Provided, That the amount provided under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FARM SERVICE AGENCY

(TRANSFER OF FUNDS)

SEC. 2104. Of the funds appropriated in section 101(a) of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2747), to provide assistance under the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.), $38,000,000 are transferred to the National Oceanic and Atmospheric Administration in the Department of Commerce for activities involving oysters: Provided, That the amount transferred under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FARM SERVICE AGENCY—EMERGENCY CONSERVATION PROGRAM

SEC. 2105. Section 101(b) of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2747) is amended—

(1) in the heading, by striking '', Oyster,'';

(2) in the matter preceding paragraph (1)—

(A) by striking '', oyster,''; and

(B) by striking ''public and private oyster reefs or'';

(3) in paragraph (3), by adding ''and'' at the end;

(4) by striking paragraph (4); and

(5) by redesignating paragraph (5) as paragraph (4).

RURAL DEVELOPMENT—RURAL HOUSING

SEC. 2106. There is hereby appropriated, $35,408,000, to remain available until expended, for housing needs in the most impacted and distressed areas related to the consequences of

Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the Secretary of Agriculture shall allocate funds provided under this section between the ''Rural Housing Insurance Fund Program Account'' and ''Rural Housing Assistance Grants'' program: Provided further, That the Secretary make this allocation and prioritizes the funding of projects with such funds within a State based on the priorities identified by the Governor of each State: Provided further, That the amount provided under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 2

DEPARTMENT OF JUSTICE

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $500,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $3,200,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $6,500,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For an additional amount for ''State and Local Law Enforcement Assistance'' for necessary expenses, related to the direct or indirect consequences of Hurricane Katrina and other hurricanes of the 2005 season, $10,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That the Attorney General shall consult with the House and Senate Committees on Appropriations on the allocation of funds prior to obligation.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research, and Facilities'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $1,135,000,000, to remain available until September 30, 2007, pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, section 308(d) of the Interjurisdictional Fisheries Act, and other authorities: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That of the total amount appropriated, $100,000,000 shall be for the National Marine Fisheries Service to provide technical assistance to States and industry for oyster bed and shrimp ground rehabilitation, debris removal and cleaning, and to prepare for spat fall by planting sufficient amounts of cultch: Provided further, That of the total amount appropriated, $20,000,000 shall be provided to utilize the National Oceanic and Atmospheric Administration's expertise to assist in rebuilding coastal communities, especially focusing on fisheries infrastructure, zoning to mitigate against future catastrophes and natural disasters, and building standards for coastal structures: Provided further, That of the total amount appropriated, $10,000,000 shall be provided to coordinate and help implement planning efforts that will lead to capacity and effort reductions in Federal and State waters: Provided further, That of the total amount appropriated, $15,000,000 shall be provided to develop and implement a seafood promotion strategy for Gulf of Mexico fisheries: Provided further, That of the total amount appropriated, $15,000,000 shall be provided to institute job retraining programs for displaced fisheries workers into alternative occupations: Provided further, That of the total amount appropriated, $200,000,000 shall be provided to replace fishing gear damaged or lost in the hurricanes, and deploy advanced versions of turtle exclusion devices and by-catch reduction devices: Provided further, That of the total amount appropriated, $50,000,000 shall be provided to develop temporary marine services centers to cluster docking facilities, fuel, ice and provisions, offloading, processing and distribution and marine repair facilities for seafood industries: Provided further, That of the total amount appropriated, $300,000,000 shall be provided for re-development of marinas, piers, docks, wharves and warehouses to support commercial and recreational fishing, and especially investments in public facilities supporting working waterfronts: Provided further, That of the total amount appropriated, $50,000,000 shall be provided for planning and support for fishing-related marine industrial parks to cluster processing and marine support businesses in ways that increase access to key facilities and services, and enhance intermodal transportation of fishery products: Provided further, That of the total amount appropriated, $90,000,000 shall be provided for replacement of private fisheries infrastructure other than vessels: Provided further, That of the total amount appropriated, $10,000,000 shall be provided to implement rules where appropriate, and purchase and provide one year of associated fees to equip the offshore shrimp and reef fish fishery with electronic vessel monitoring systems: Provided further, That of the total amount appropriated, $10,000,000 shall be provided to equip federally permitted fishing vessels with electronic logbooks to record haul-by-haul catch data: Provided further, That of the total amount appropriated, $20,000,000 shall be provided for one percent coverage of the shrimp and reef fish fisheries with at-sea observer coverage to document catch, by-catch and profitability of these fisheries, for three years: Provided further, That of the total amount appropriated, $50,000,000 shall be provided to develop and fund a cooperative research program to test various gears and to monitor the recovery of Gulf of Mexico fishery resources and fisheries: Provided further, That of the total amount appropriated, $100,000,000 shall be provided for direct assistance to fishers and seafood workers to undertake cleanup activities and begin repairing damaged facilities: Provided further, That of the total amount appropriated, $20,000,000 shall be provided to assist shellfishermen in New England's coastal communities who suffered severe economic impact from last year's toxic red tide outbreak: Provided further, That of the total amount appropriated, $25,000,000 shall be provided to employ fishers and vessel owners in marine debris and living marine resource assessment activities.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for ''Procurement, Acquisition and Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $32,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION CAPABILITIES

For an additional amount for ''Exploration Capabilities'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $35,000,000 shall be for the Stennis Space Center, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCY

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the ''Disaster Loans Program Account'' for the cost of direct loans authorized by section 7(b) of the Small Business Act, $1,254,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That up to $190,000,000 may be transferred to and merged with ''Salaries and Expenses'' for administrative expenses to carry out the disaster loan program: Provided further, That none of the funds provided under this heading may be used for indirect administrative expenses: Provided further, That of the amount provided under this heading, up to $712,000,000 may be transferred to ''Federal Emergency Management Agency, Disaster Relief'' to reimburse in whole, or in part, that account for funds transferred to this account by Public Law 109–174: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $2,125,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $22,002,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $3,992,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $21,610,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $4,071,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $10,200,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $2,176,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $94,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $1,304,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $1,408,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $29,913,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $37,359,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $12,755,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $1,277,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $42,307,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $700,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $9,136,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $579,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $899,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SHIPBUILDING AND CONVERSION, NAVY

For an additional amount for ''Shipbuilding and Conversion, Navy'', $1,025,236,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, which shall be available for transfer within this account to replace destroyed or damaged equipment, prepare and recover naval vessels under contract; and provide for cost adjustments for naval vessels for which funds have been previously appropriated: Provided, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers within this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $85,040,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $13,000,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $2,797,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $12,000,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $6,250,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $730,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,222,000, to remain available until September 30, 2006, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for ''National Defense Sealift Fund'', $10,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TRUST FUNDS

GENERAL FUND PAYMENT, SURCHARGE COLLECTIONS, SALES OF COMMISSARY STORES, DEFENSE

For an additional amount for ''General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense'', $10,530,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $33,881,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $326,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SPECIAL TRANSFER AUTHORITY

(TRANSFER OF FUNDS)

SEC. 2301. Upon his determination that such action is necessary to ensure the appropriate allocation of funds provided to the Department of Defense in this chapter, the Secretary of Defense may transfer up to $75,000,000, of such funds between such appropriations: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That the amount made available by the transfer of funds in or pursuant to this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROHIBITION OF NEW START PROGRAMS

SEC. 2302. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

NAVY SHIPBUILDING COST ADJUSTMENTS

SEC. 2303. (a) Amounts appropriated or otherwise made available by this Act, or by chapter 2 of title I of the Emergency Supplemental Appropriations Act to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (division B of Public Law 109–148; 119 Stat. 2757), under the heading ''Shipbuilding and Conversion, Navy'' may be obligated and expended to pay the costs of any business disruption incurred by a ship construction contractor with respect to facilities or businesses located in the Hurricane Katrina Disaster Area by reason of Hurricane Katrina.

(b) Amounts received by a ship construction contractor under subsection (a) with respect to the costs of business disruption described in that subsection may not be treated as collateral insurance coverage or otherwise treated as payments which would reduce amounts otherwise payable to the contractor for such costs under any insurance or similar payer plan.

(c) The Secretary of the Navy shall adjust any shipbuilding contract with a ship construction contractor described in subsection (a) in order to take into account the business disruption incurred by the contractor as described in that subsection.

(d)(1) In the event a shipbuilding contractor receives payment (whether through insurance or similar payer plan) for costs described in subsection (a) for which the contractor has been paid amounts under that subsection, the contractor shall reimburse the United States for amounts paid under that subsection in the amount of the payment so received by the contractor.

(2) Amounts received by the United States as reimbursement under paragraph (1) shall be credited to the account from which payment for the amounts reimbursed were made. Amounts credited to such account shall be merged with amounts in such account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such account.

(e) In this section, the term ''Hurricane Katrina Disaster Area'' has the meaning given that term in section 1400M(2) of the Internal Revenue Code of 1986.

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for ''Investigations'' for flood hazard analyses and technical studies related to the consequences of Hurricane Katrina and other disasters, $3,750,000, to remain available until expended: Provided, That $3,750,000 of the amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement, is transmitted by the President to the Congress: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'' to reduce the risk of storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands through measures to begin to reverse wetland losses in areas affected by navigation, oil and gas, and other channels and through modification of the Caernarvon Freshwater Diversion structure or its operations, $122,850,000, to remain available until expended: Provided, That these funds shall not be subject to any non-Federal cost-sharing requirement: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That $22,850,000 of the amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement, is transmitted by the President to the Congress: Provided further, That $2,000,000 of the amount provided in the previous proviso shall be provided at full Federal expense for the Hawaii water systems technical assistance program.

OPERATIONS AND MAINTENANCE

For an additional amount for ''Operations and Maintenance'' to dredge navigation channels and repair other Corps projects related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $4,700,000, to remain available until expended: Provided, That $4,700,000 shall be available only to the extent an official budget request, that includes designation of the $4,700,000 as an emergency requirement is transmitted by the President to the Congress: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for ''Flood Control and Coastal Emergencies'', as authorized by section 5 of the Flood Control Act of August 18, 1941, as amended (33 U.S.C. 701n), for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005

season, $2,001,500,000, to remain available until expended: Provided, That the Secretary of the Army is directed to use the funds appropriated herein to modify, at full Federal expense, authorized projects in southeast Louisiana to provide hurricane and storm damage reduction and flood damage reduction in greater New Orleans and surrounding areas, of which $530,000,000 shall be used to modify the 17th Street, Orleans Avenue and London Avenue drainage canals, and install pumps and closure structures at or near the lakefront; $250,000,000 shall be used for storm-proofing interior pump stations to ensure their operability during hurricanes, storms and high water events; $170,000,000 shall be used for armoring critical elements of the New Orleans hurricane and storm damage reduction system; $350,000,000 shall be used to improve protection at the Inner Harbor Navigation Canal; and $60,000,000 shall be used for incorporation of certain non-Federal levees in Plaquemines Parish into the existing Federal levee system: Provided further, That any project using funds appropriated herein shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary to pay 100 percent of the operation, maintenance, repair, replacement and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: Provided further, That $641,500,000 of the amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement, is transmitted by the President to the Congress: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 5

DEPARTMENT OF HOMELAND SECURITY

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $12,900,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $4,800,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Operating Expenses'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $90,570,900, to remain available until September 30, 2007, of which up to $267,000 may be transferred to ''Environmental Compliance and Restoration'' to be used for environmental cleanup and restoration of Coast Guard facilities in the Gulf of Mexico region; and of which up to $470,000 may be transferred to ''Research, Development, Test and Evaluation'' to be used for salvage and repair of research and development equipment and facilities: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $191,844,000, to remain available until expended: Provided, That such amounts shall be available for major repair and reconstruction projects for facilities that were damaged and for damage to vessels currently under construction, for the replacement of damaged equipment, and for the reimbursement of delay, loss of efficiency, disruption, and related costs: Provided further, That amounts provided are also for equitable adjustments and provisional payments to contracts for Coast Guard vessels for which funds have been previously appropriated: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

For an additional amount for ''Administrative and Regional Operations'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $71,800,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

For an additional amount for ''Preparedness, Mitigation, Response, and Recovery'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $10,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DISASTER RELIEF

For an additional amount for ''Disaster Relief'' for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $10,600,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For an additional amount for ''Disaster Assistance Direct Loan Program Account'' for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), $301,000,000, to be used to assist local governments affected by Hurricane Katrina and other hurricanes of the 2005 season in providing essential services, of which $1,000,000 is for administrative expenses to carry out the direct loan program: Provided, That such funds may be made to subsidize gross obligations for the principal amount of direct loans not to exceed $400,000,000: Provided further, That notwithstanding section 417(b) of such Act, the amount of any such loan issued pursuant to this section may exceed $5,000,000: Provided further, That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled: Provided further, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

FEDERAL EMERGENCY MANAGEMENT AGENCY

SEC. 2501. The Federal Emergency Management Agency may provide funds to a State or local government or, as necessary, assume an existing agreement from such unit of government, to pay for utility costs resulting from the provision of temporary housing units to evacuees from Hurricane Katrina and other hurricanes of the 2005 season if the State or local government has previously arranged to pay for such utilities on behalf of the evacuees for the term of any leases, not to exceed 12 months, contracted by or prior to February 7, 2006, notwithstanding section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174): Provided, That the Federal share of the costs eligible to be paid shall be 100 percent.

NATIONAL FLOOD INSURANCE FUND

SEC. 2502. (a) Title III of Public Law 109–90 (119 Stat. 2079) is amended under the heading ''National Flood Insurance Fund'' by striking in the proviso ''$30,000,000'' and inserting ''such sums as necessary, not to exceed $1,000,000,000,''.

(b) The provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

HOUSING PILOT PROGRAM

SEC. 2503. Notwithstanding any other provision of law, the Secretary of Homeland Security shall consider eligible under the Federal Emergency Management Agency Individual Assistance Program the costs sufficient for alternative housing pilot programs in the areas hardest hit by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the Secretary of Homeland Security shall submit for approval a proposal and an expenditure plan for the alternative housing pilot program to the Committees on Appropriations of the Senate and House of Representatives within forty-five days from the date of enactment of this Act: Provided further, That no State shall host more than one alternative housing pilot program.

CHAPTER 6

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $132,400,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for ''Historic Preservation Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $83,000,000, to remain available until expended: Provided, That of the funds provided under this heading, $80,000,000 shall be provided to State historical preservation officers for grants for disaster relief in areas of Louisiana, Mississippi, and Alabama impacted by Hurricanes Katrina or Rita: Provided further, That grants shall be for the preservation, stabilization, rehabilitation, and repair of historic houses and designated ''Main Street'' commercial properties listed in or eligible for the National Register of Historic Places, for

planning and technical assistance: Provided further, That grants shall only be available for areas that the President determines to be a major disaster under section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) due to Hurricanes Katrina or Rita: Provided further, That individual grants shall not be subject to a non-Federal matching requirement: Provided further, That no more than 5 percent of funds provided under this heading for disaster relief grants may be used for administrative expenses: Provided further, That of the amount provided under this heading for disaster relief grants, $37,500,000 shall be for the State of Louisiana, $37,500,000 shall be for the State of Mississippi, and $5,000,000 shall be for the State of Alabama: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $55,400,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $10,200,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For an additional amount for ''Royalty and Offshore Minerals Management'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $15,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for ''Environmental Programs and Management'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $6,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For an additional amount for ''Leaking Underground Storage Tank Program'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $7,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for the ''National Forest System'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 7

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for ''Training and Employment Services'', $32,500,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, for construction, rehabilitation, and acquisition of Job Corps centers as authorized by the Workforce Investment Act of 1998: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENTAL MANAGEMENT

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

For an additional amount for ''Community Health Centers'', $6,000,000, to establish and purchase communication equipment including satellite phones for a communications network among departments of health, community health centers and major medical centers in States affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

For an additional amount for ''Disease Control, Research, and Training'', $20,000,000, to remain available until expended, for mosquito and other pest abatement activities in States affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE SECRETARY

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,669,846, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF EDUCATION

DEPARTMENTAL MANAGEMENT

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $1,500,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

HURRICANE EDUCATION RECOVERY

For an additional amount under the heading ''Department of Education'' in Public Law 109–148 for carrying out section 107 of title IV, division B of that Act, $300,000,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That an additional $350,000,000 shall be available to the Department of Education, until expended, for carrying out the purposes of section 107 of title IV, division B of Public Law 109–148, for displaced students, as defined in section 107(b)(1) of that Act, enrolled prior to October 1, 2006: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

For the principal amount of direct loans, as authorized under section 2701 of title II of this Act, made not later than 60 days after the enactment of this Act for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $300,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $200,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Hereafter, the loan level established under this heading shall be considered an estimate, not a limitation.

For an additional amount under part B of title VII of the Higher Education Act of 1965 for institutions of higher education (as defined in section 102 of that Act) that are located in an area in which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and emergency Assistance Act related to hurricanes in the Gulf of Mexico in calendar year 2005, $30,000,000 for hurricane related costs: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS, OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the Corporation for National and Community Service (the ''Corporation'') for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until September 30, 2007: Provided, That the funds made available under this

heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the National and Community Service Act of 1990 (the ''Act'') (42 U.S.C. 12611 et seq.): Provided further, That the Corporation may transfer funds from the amount provided under the first proviso to the National Service Trust authorized under subtitle D of title I of the Act (42 U.S.C. 12601) upon determination that such transfer is necessary to support the activities of Civilian Community Corps participants and after notice is transmitted to Congress: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SOCIAL SECURITY ADMINISTRATION

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $277,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

DEPARTMENT OF EDUCATION—HURRICANE EDUCATION RECOVERY

SEC. 2701. (a) AUTHORIZATION OF PROGRAM.—The Secretary of Education shall establish an Education Relief Loan Program that includes amounts appropriated under chapter 7 of title II of this Act and provides from such amounts funds for long-term, low-interest direct loans to eligible postsecondary educational institutions for direct or indirect losses incurred on or after August 28, 2005, resulting from the impact of Hurricanes Katrina and Rita, and recovery initiatives of such institutions.

(b) ELIGIBILITY.—In this section, the term ''eligible postsecondary educational institution'' means—

(1) a public postsecondary educational institution that was forced to suspend operations due to the impact of Hurricanes Katrina and Rita and has not been able to reopen in existing facilities or fully reopen to the levels that existed before the impact of such hurricanes;

(2) a private, nonprofit postsecondary educational institution that was forced to suspend operations due to the impact of such hurricanes and has not been able to reopen in existing facilities or fully reopen to the levels that existed before the impact of such hurricanes; or

(3) a public or private school of medicine that was forced to suspend operations due to the impact of such hurricanes and has not been able to reopen in existing facilities or fully reopen to the levels that existed before the impact of such hurricanes.

(c) REQUIREMENTS FOR ASSISTANCE DUE TO LOSSES.—

(1) IN GENERAL.—An eligible postsecondary educational institution that desires to receive assistance under this section shall—

(A) submit a sworn financial statement and other appropriate data, documentation, or other evidence requested by the Secretary of Education that indicates that the institution incurred losses resulting from the impact of Hurricanes Katrina and Rita and the monetary amount of such losses;

(B) demonstrate that the institution attempted to minimize the cost of any losses by pursuing collateral source compensation from the Federal Emergency Management Agency, the Small Business Administration, and insurance prior to seeking assistance under this section; and

(C) demonstrate that the institution has not been able to reopen in existing facilities or fully reopen to the levels that existed before the impact of such hurricanes.

(2) NO REQUIREMENT THAT INSTITUTION RECEIVE COLLATERAL SOURCE COMPENSATION.—An eligible postsecondary educational institution shall be eligible for a loan under this section regardless of whether or not such institution received collateral source compensation from the Federal Emergency Management Agency, the Small Business Administration, or insurance.

(d) USE OF ASSISTANCE.—Assistance received by an eligible postsecondary educational institution pursuant to this section may be used for—

(1) direct and indirect construction cost and clean-up resulting from Hurricanes Katrina and Rita;

(2) faculty salaries and incentives for retaining faculty; and

(3) costs of lost tuition, revenue, and enrollment.

(e) AUDIT.—The Secretary of Education and the Comptroller General of the United States may audit a statement submitted under subsection (c)(1)(A) and may request any information that the Secretary of Education and Comptroller General determine necessary to conduct such an audit.

(f) REDUCTION IN ASSISTANCE.—In calculating assistance to eligible postsecondary educational institutions under this section, the Secretary of Education shall calculate a figure that reduces from the monetary amount of losses incurred by such institution, only the amount of collateral source compensation the institution has already received from insurance, the Federal Emergency Management Agency, and the Small Business Administration.

(g) REGULATIONS.—Not later than 30 days after the date of enactment of this section, the Secretary of Education shall establish terms for the long-term, low-interest direct loan program and procedures for an application for assistance under this section and minimum requirements for the program and for receiving assistance under this section, including the following:

(1) Forms to be used in submitting request for assistance.

(2) Procedures to assist in filing and pursing assistance.

(3) Loan repayment and interest rate procedures and requirements, as specified by the Secretary of Education and in accordance with the published rule of October 18, 2005 (44 C.F.R. 206.370–377), implementing the Community Disaster Loan Act of 2005 (Public Law 109–88).

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM

SEC. 2702. (a) In this section:

(1) The term ''affected institution'' means an institution of higher education that is—

(A) a part B institution, as such term is defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061); and

(B) located in an area affected by a Gulf hurricane disaster.

(2) The terms ''area affected by a Gulf hurricane disaster'' and ''Gulf hurricane disaster'' have the meanings given such terms in section 209 of the Higher Education Hurricane Relief Act of 2005 (Public Law 109–148, 119 Stat. 2809).

(b) Notwithstanding any other provision of law (unless enacted with specific reference to this section), the Secretary of Education is authorized to waive or modify, as the Secretary determines is necessary, any statutory or regulatory provision related to historically Black college and university capital financing under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.), in connection with a Gulf hurricane disaster, to ensure that—

(1) the calculation of financing need under section 343 of such Act (20 U.S.C. 1066b) for an affected institution is modified to reflect any changes in the financial condition of the institution as a result of the Gulf hurricane disaster; and

(2) an affected institution that was not receiving assistance under such part before the Gulf hurricane disaster is eligible to apply for capital financing to assist in institutional recovery from the Gulf hurricane disaster.

(c)(1) Notwithstanding section 343(b)(1) or any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1066b(b)(1), 1051 et seq.), in carrying out section 343 of such Act, a designated bonding authority shall withhold not more than 1 percent for the cost of issuance from the proceeds of qualified bonds that are loaned to an affected institution.

(2) Notwithstanding section 343(b)(3) or any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1066b(b)(3), 1051 et seq.), the interest rate charged for a loan issued under part D of title III of such Act, after the date of enactment of this Act and with respect to an affected institution, shall be a rate of 1 percent for the period of the loan.

(3) Notwithstanding any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.), the requirements of section 343(b)(8) and 343(c)(2) of such Act (20 U.S.C. 1066(b)(8)) shall not apply with respect to an affected institution receiving a loan under part D of title III of such Act (20 U.S.C. 1066 et seq.).

(d) Notwithstanding any provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.), or any regulation promulgated under such title, the Secretary of Education shall grant a deferment, for a period of not more than 3 years, to an affected institution who has received a loan under part D of title III of such Act (20 U.S.C. 1066 et seq.). During the deferment period granted under this subsection, the affected institution shall not be required to pay any periodic installment of principal required under the loan agreement for such loan, and interest on such loan shall not accrue for the period of the deferment.

(e)(1) Except as provided in paragraph (2), the authority provided under this section to enter into, or modify or waive the terms of, a loan agreement or insurance agreement under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.), or to grant a loan deferment under subsection (d), shall terminate 1 year after the date of enactment of this Act.

(2) Any provision of a loan agreement or insurance agreement modified or waived by the authority under this section shall remain so modified or waived for the duration of the period covered by the loan agreement or insurance agreement.

(f) The amount provided in this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

USE OF SUPPLEMENTAL HIGHER EDUCATION ACT FUNDS

SEC. 2703. Funds available to the Mississippi Institutes of Higher Learning under the heading ''Department of Education'' in Public Law 109–148 may be used to support activities authorized by part B of title VII of the Higher Education Act of 1965, as determined necessary by the Mississippi Institutes of Higher Learning: Provided, That the amount provided under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 8

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY

For an additional amount for ''Military Construction, Navy'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $44,770,000, to remain available until September 30, 2010: Provided, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an

emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $103,500,000, to remain available until September 30, 2010: Provided, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $210,071,000, to remain available until September 30, 2010: Provided, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That the amount appropriated under this heading in the Emergency Supplemental Appropriations Act to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (division B, Public Law 109–148) shall remain available until September 30, 2010.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for ''Military Construction, Air National Guard'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $5,800,000, to remain available until September 30, 2010: Provided, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, NAVAL RESERVE

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for ''Military Construction, Naval Reserve'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $24,270,000, to remain available until September 30, 2010: Provided, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That the amount appropriated under this heading in the Emergency Supplemental Appropriations Act to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (division B, Public Law 109–148) shall remain available until September 30, 2010, except that, of such amount $49,530,000 are rescinded.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

For an additional amount for ''Construction, Major Projects'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $623,000,000, to remain available until expended: Provided, That of that amount, $62,000,000 shall be for the disposal, environmental cleanup and debris removal of the Department of Veterans Affairs' land in Gulfport, Mississippi: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCY

ARMED FORCES RETIREMENT HOME

MAJOR CONSTRUCTION

For an additional amount for ''Major Construction'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $176,000,000, to remain available until expended: Provided, That such funds may be obligated or expended for planning and design and construction projects not otherwise authorized by law: Provided further, That these funds shall be used for the planning and design and construction of a new Armed Forces Retirement Home in Gulfport, Mississippi: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

MILITARY CONSTRUCTION

(WAIVER OF LIMITATION)

SEC. 2801. The limitation of Federal contribution established under section 18236(b) of title 10 is hereby waived for projects appropriated in this chapter.

DEPARTMENT OF VETERANS AFFAIRS

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 2802. (a) Of the amounts made available in chapter 7 of the title I of division B of Public Law 109–148, ''Department of Veterans Affairs'', ''Veterans Health Administration'', ''Medical Services'', $198,265,000 are hereby rescinded.

(b) For an additional amount for ''Department of Veterans Affairs'', ''Veterans Health Administration'', ''Medical Services'', $198,265,000, to remain available until expended, for necessary expenses related to the consequences of hurricanes in the Gulf of Mexico in calendar year 2005.

(c) The funds made available in subsection (b) may be transferred to the ''Department of Veterans Affairs'', ''Veterans Health Administration'', ''Medical Services'', ''Medical Administration'', ''Medical Facilities'', ''Departmental Administration'', ''Construction, Minor Projects'', and ''Information Technology Systems'' accounts as required.

(d) Not less than 15 days prior to making any such transfer as authorized under subsection (c), the Department shall notify the Committees on Appropriations of both Houses of Congress.

(e) This section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF VETERANS AFFAIRS

LAND TRANSFER

SEC. 2803. Notwithstanding any other provision of law, within six months of enactment of this Act, the Secretary of Veterans Affairs is authorized and directed to cleanup and transfer all land parcels of the Department's land in Gulfport, Mississippi to the city of Gulfport, Mississippi.

DEPARTMENT OF VETERANS AFFAIRS

NEW ORLEANS AND BILOXI MEDICAL FACILITIES

SEC. 2804. Notwithstanding any other provision of law, and within the amounts appropriated for this purpose, the Secretary of Veterans Affairs may obligate and expend funds from the ''Construction, Major Projects'' appropriation to purchase a site for and the new construction, restoration or replacement of the Department of Veterans Affairs Medical Centers, New Orleans, Louisiana; and Biloxi, Mississippi.

ARMED FORCES RETIREMENT HOME

(TRANSFER OF FUNDS)

SEC. 2805. The following unobligated balances shall be transferred to the Armed Forces Retirement Home ''Major Construction'' account, to remain available until expended, for the planning and design and construction of a new Armed Forces Retirement Home in Gulfport, Mississippi from amounts appropriated under the heading ''Armed Forces Retirement Home'' in chapter 7 of division B of Public Law 109–148 (119 Stat. 2769), $45,000,000 provided for Armed Forces Retirement Home-Gulfport; and unobligated balances of funds provided in fiscal years 1998 through 2004 for construction and renovation of the physical plants at the United States Naval Home/Armed Forces Retirement Home-Gulfport: Provided, That the amount provided or otherwise made available under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

For an additional amount for ''Emergency relief program'' as authorized under 23 U.S.C. 125, $594,000,000, to remain available until expended, to be made available to carry out projects eligible for reimbursement under 23 U.S.C. 125 not otherwise funded in other Appropriations Acts and identified under ''Total Backlog'' in the Federal Highway Administration table entitled ''Emergency Relief Program Fund Requests—updated 03/28/06'' as well as projects eligible for reimbursement resulting from 2006 flooding in the State of Hawaii: Provided, That notwithstanding 23 U.S.C. 120(e), the Federal share for all projects for repairs or reconstruction of highways, roads, bridges, and trails to respond to damage caused by Hurricanes Katrina, Rita, and Wilma shall be 100 percent: Provided further, That notwithstanding 23 U.S.C. 125(d)(1), the Secretary of Transportation may obligate more than $100,000,000 for such projects in a State in a fiscal year, to respond to damage caused by Hurricanes Dennis, Katrina, Rita, or Wilma and by the 2004–2005 winter storms in the State of California: Provided further, That any amounts in excess of those necessary for emergency expenses relating to the eligible projects cited in the first sentence of this paragraph may be used for other projects authorized under 23 U.S.C. 125: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL TRANSIT ADMINISTRATION

EMERGENCY ASSISTANCE FOR PUBLIC TRANSPORTATION

For grants to State or local governmental entities directly affected by Hurricane Katrina for expenses related to emergency response and recovery of public transportation equipment, facilities and services, as determined by the Secretary of Transportation, $200,000,000, to remain available until expended: Provided, That for recipients of assistance under chapter 53 of title 49, United States Code, directly affected by Hurricane Katrina, the Secretary may waive the Federal matching share requirements for Federal transit assistance programs under such chapter, including the Federal matching share requirements contained in existing Federal assistance grant agreements: Provided further,

That the Secretary may allow such recipients to use such assistance for operating assistance, notwithstanding the terms and conditions contained in existing Federal assistance grant agreements: Provided further, That the Secretary may waive any other Federal transit assistance grant requirements under such chapter or sections 3037 and 3038 of the Federal Transit Act of 1998, including those requirements contained in existing Federal assistance grant agreements to facilitate emergency response and recovery of public transportation equipment, facilities and services by such recipients: Provided further, That the authority of the Secretary hereunder shall expire two years after the date of enactment of this section, unless determined otherwise by the Secretary for a compelling need: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL RAILROAD ADMINISTRATION

CAPITAL GRANTS FOR RAIL LINE RELOCATION PROJECTS

Notwithstanding any other provision of law, to enable the Secretary of Transportation to make a grant under 49 U.S.C. 20154, for the purpose of facilitating the relocation of a rail line that was destroyed or received significant damage as the result of Hurricane Katrina and other hurricanes of the 2005 season, $700,000,000, to remain available until expended: Provided, That relocating a significant portion of the rail traffic from a rail line destroyed or damaged to an existing rail corridor or corridors inland, and thus less vulnerable to damage by future hurricanes, and which permits the abandonment and alternative use of significant portions of the right-of-way of the rail line destroyed or damaged in 2005, shall be a permissible relocation of said rail line pursuant to 49 U.S.C. 20154: Provided further, That paragraphs (2), (3), and (4) of subsection (c) of section 20154 and subsection (d) of section 20154 shall not apply in the consideration of an application or award of a grant under this provision: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For an additional amount for ''Tenant-Based Rental Assistance'' for tenant-based and project-based assistance for households within the area declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $202,000,000, to remain available until September 30, 2007, of which not to exceed $5,000,000 is for the administrative and related information technology costs of the Department of Housing and Urban Development: Provided, That such households shall be limited to those identified under this heading in division B, Public Law 109–148 and to those which, prior to Hurricane Katrina or Rita, received assistance under section 236 or under section 221(d)(3) pursuant to section 221(d)(5) of the National Housing Act, or section 101 of the Housing and Urban Development Act of 1965: Provided further, That, except as otherwise provided, such funds shall be subject to the terms and conditions of amounts provided under this heading in division B, Public Law 109–148, except that section 8(o)(7)(A) of the United States Housing Act of 1937 shall not apply to funds under such heading and under this heading: Provided further, That no less than $100,000,000 shall be made available as project-based assistance used to support the reconstruction, rebuilding and repair of assisted housing that suffered the consequences of Hurricane Katrina and other hurricanes of the 2005 season, and may include new structures supported under the low income tax credit program: Provided further, That all previously assisted HUD project-based housing shall be accorded a preference in the use of this project-based assistance: Provided further, That, notwithstanding any other provision of law, after providing a first right of return to all households in the St. Bernard, Orleans, Plaquemines, Jefferson, and St. Tammany Parishes eligible for project-based housing assistance under this heading and under this heading in division B, Public Law 109–148, owners may then offer remaining available dwelling units to city and parish employees from those parishes for a period of not to exceed 12 months: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Community development fund'', for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in the most impacted and distressed areas related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season in States for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in conjunction with Hurricane Katrina and other hurricanes of the 2005 season, $5,200,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93–383): Provided, That funds provided under this heading shall be administered through an entity or entities designated by the Governor of each State: Provided further, That such funds may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency, the Small Business Administration, or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State under this heading: Provided further, That each State may use up to five percent of its allocation for administrative costs: Provided further, That not less than $1,000,000,000 from funds made available on a pro-rata basis according to the allocation made to each State under this heading shall be used for repair, rehabilitation, and reconstruction (including demolition, site clearance and remediation) of the affordable rental housing stock (including public and other HUD-assisted housing) in the impacted areas: Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by the State that such waiver is required to facilitate the use of such funds or guarantees, and a finding by the Secretary that such waiver would not be inconsistent with the overall purpose of the statute: Provided further, That the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that at least 50 percent of the funds made available under this heading must benefit primarily persons of low and moderate income unless the Secretary otherwise makes a finding of compelling need: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: Provided further, That every waiver made by the Secretary must be reconsidered according to the three previous provisos on the two-year anniversary of the day the Secretary published the waiver in the Federal Register: Provided further, That prior to the obligation of funds each State shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: Provided further, That prior to the obligation of funds to each State, the Secretary shall ensure that such plan gives priority to infrastructure development and rehabilitation and the rehabilitation and reconstruction of the affordable rental housing stock including public and other HUD-assisted housing: Provided further, That each State will report quarterly to the Committees on Appropriations on all awards and uses of funds made available under this heading, including specifically identifying all awards of sole-source contracts and the rationale for making the award on a sole-source basis: Provided further, That the Secretary shall notify the Committees on Appropriations on any proposed allocation of any funds and any related waivers made pursuant to these provisions under this heading no later than 5 days before such waiver is made: Provided further, That the Secretary shall establish procedures to prevent recipients from receiving any duplication of benefits and report quarterly to the Committees on Appropriations with regard to all steps taken to prevent fraud and abuse of funds made available under this heading including duplication of benefits: Provided further, That of the amounts made available under this heading, the Secretary shall transfer $12,000,000 to the Office of Inspector General for costs associated with oversight: Provided further, That none of the funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INDEPENDENT AGENCY

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

For an additional amount for the ''Federal Buildings Fund'' for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $37,000,000, from the General Fund and to remain available until expended: Provided, That notwithstanding 40 U.S.C. 3307, the Administrator of General Services is authorized to proceed with repairs and alterations for affected buildings: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE III

EMERGENCY AGRICULTURAL DISASTER ASSISTANCE

SEC. 3001. SHORT TITLE.

This title may be cited as the ''Emergency Agricultural Disaster Assistance Act of 2006''.

SEC. 3002. DEFINITIONS.

In this title:

(1) ADDITIONAL COVERAGE.—The term ''additional coverage'' has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(2) DISASTER COUNTY.—The term ''disaster county'' means—

(A) a county included in the geographic area covered by a natural disaster declaration; and

(B) each county contiguous to a county described in subparagraph (A).

(3) HURRICANE-AFFECTED COUNTY.—The term ''hurricane-affected county'' means—

(A) a county included in the geographic area covered by a natural disaster declaration related to Hurricane Katrina, Hurricane Rita, Hurricane Wilma, or a related condition; and

(B) each county contiguous to a county described in subparagraph (A).

(4) INSURABLE COMMODITY.—The term ''insurable commodity'' means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(5) LIVESTOCK.—The term ''livestock'' includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) sheep;

(D) swine; and

(E) other livestock, as determined by the Secretary.

(6) NATURAL DISASTER DECLARATION.—The term ''natural disaster declaration'' means—

(A) a natural disaster declared by the Secretary—

(i) during calendar year 2005 under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

(ii) during calendar year 2006 under that section, but for which a request was pending as of the date of enactment of this Act; or

(B) a major disaster or emergency designated by the President—

(i) during calendar year 2005 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

(ii) during calendar year 2006 under that Act, but for which a request was pending as of the date of enactment of this Act.

(7) NONINSURABLE COMMODITY.—The term ''noninsurable commodity'' means a crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

Subtitle A—Agricultural Production Losses

SEC. 3011. CROP DISASTER ASSISTANCE.

(a) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying losses described in subsection (c).

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–55), including using the same loss thresholds for quantity and economic losses as were used in administering that section, except that the payment rate shall be 50 percent of the established price, instead of 65 percent.

(2) LOSS THRESHOLDS FOR QUALITY LOSSES.—In the case of a payment for quality loss for a crop under subsection (c)(2), the loss thresholds for quality loss for the crop shall be determined under subsection (d).

(c) QUALIFYING LOSSES.—Assistance under this section shall be made available to producers on farms, other than producers of sugar cane and sugar beets, that incurred qualifying quantity or quality losses for—

(1) the 2005 crop due to damaging weather or any related condition (including losses due to crop diseases, insects, and delayed harvest), as determined by the Secretary; and

(2) the 2006 crop due to flooding in California and Hawaii that occurred prior to the date of enactment of this Act and for which a petition for a disaster designation has been filed with the Secretary not later than that date.

(d) QUALITY LOSSES.—

(1) IN GENERAL.—Subject to paragraph (3), the amount of a payment made to producers on a farm for a quality loss for a crop under subsection (c)(2) shall be equal to the amount obtained by multiplying—

(A) 65 percent of the payment quantity determined under paragraph (2); by

(B) 50 percent of the payment rate determined under paragraph (3).

(2) PAYMENT QUANTITY.—For the purpose of paragraph (1)(A), the payment quantity for quality losses for a crop of a commodity on a farm shall equal the lesser of—

(A) the actual production of the crop affected by a quality loss of the commodity on the farm; or

(B) the quantity of expected production of the crop affected by a quality loss of the commodity on the farm, using the formula used by the Secretary to determine quantity losses for the crop of the commodity under subsection (c)(1).

(3) PAYMENT RATE.—For the purpose of paragraph (1)(B) and in accordance with paragraphs (5) and (6), the payment rate for quality losses for a crop of a commodity on a farm shall be equal to the difference between—

(A) the per unit market value that the units of the crop affected by the quality loss would have had if the crop had not suffered a quality loss; and

(B) the per unit market value of the units of the crop affected by the quality loss.

(4) ELIGIBILITY.—For producers on a farm to be eligible to obtain a payment for a quality loss for a crop under subsection (c)(2), the amount obtained by multiplying the per unit loss determined under paragraph (1) by the number of units affected by the quality loss shall be at least 25 percent of the value that all affected production of the crop would have had if the crop had not suffered a quality loss.

(5) MARKETING CONTRACTS.—In the case of any production of a commodity that is sold pursuant to 1 or more marketing contracts (regardless of whether the contract is entered into by the producers on the farm before or after harvest) and for which appropriate documentation exists, the quantity designated in the contracts shall be eligible for quality loss assistance based on the 1 or more prices specified in the contracts.

(6) OTHER PRODUCTION.—For any additional production of a commodity for which a marketing contract does not exist or for which production continues to be owned by the producer, quality losses shall be based on the average local market discounts for reduced quality, as determined by the appropriate State committee of the Farm Service Agency.

(7) QUALITY ADJUSTMENTS AND DISCOUNTS.—The appropriate State committee of the Farm Service Agency shall identify the appropriate quality adjustment and discount factors to be considered in carrying out this subsection, including—

(A) the average local discounts actually applied to a crop; and

(B) the discount schedules applied to loans made by the Farm Service Agency or crop insurance coverage under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(8) ELIGIBLE PRODUCTION.—The Secretary shall carry out this subsection in a fair and equitable manner for all eligible production, including the production of fruits and vegetables, other specialty crops, and field crops.

(e) ELIGIBILITY FOR ASSISTANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(A) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses;

(B) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses;

(C) had average adjusted gross income (as defined by section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)), of greater than $2,500,000 in 2004; or

(D) were not in compliance with highly erodible land conservation and wetland conservation provisions.

(2) CONTRACT WAIVER.—The Secretary may waive paragraph (1) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(A) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) providing additional coverage for the insurable commodity for each of the next 2 crops, at a coverage level that provides—

(i) not less than 65 percent of the actual production history for the crop produced on the farm; and

(ii) 100 percent of the expected market price or a comparable coverage (as determined by the Federal Crop Insurance Corporation); and

(B) in the case of a noninsurable commodity, to file the required paperwork and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next 2 crops under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(3) EFFECT OF VIOLATION.—In the event of the violation of a contract under paragraph (2) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this section.

(f) TIMING.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make payments to producers on a farm for a crop under this section not later than 60 days after the date the producers on the farm submit to the Secretary a completed application for the payments.

(2) INTEREST.—If the Secretary does not make payments to the producers on a farm by the date described in paragraph (1), the Secretary shall pay to the producers on a farm interest on the payments at a rate equal to the current (as of the sign-up deadline established by the Secretary) market yield on outstanding, marketable obligations of the United States with maturities of 30 years.

SEC. 3012. LIVESTOCK ASSISTANCE.

(a) LIVESTOCK COMPENSATION PROGRAM.—

(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—Effective beginning on the date of enactment of this Act, the Secretary shall use funds of the Commodity Credit Corporation to carry out the 2002 Livestock Compensation Program announced by the Secretary on October 10, 2002 (67 Fed. Reg. 63070), to provide compensation for livestock losses during calendar years 2005 and 2006 for losses that occurred prior to the date of enactment of this Act (including wildfire disaster losses in the State of Texas and other States) due to a disaster, as determined by the Secretary, except that the payment rate shall be 75 percent of the payment rate established for the 2002 Livestock Compensation Program.

(2) ELIGIBLE APPLICANTS.—In carrying out the program described in paragraph (1), the Secretary shall provide assistance to any applicant that—

(A)(i) conducts a livestock operation that is located in a disaster county, including any applicant conducting a livestock operation with eligible livestock (within the meaning of the livestock assistance program under section 101(b) of division B of Public Law 108–324 (118 Stat. 1234)); or

(ii) produces an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1)); and

(B) meets all other eligibility requirements established by the Secretary for the program.

(3) MITIGATION.—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock compensation program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

(4) LIMITATION.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this subsection and another Federal program with respect to any loss.

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make livestock indemnity payments to producers on farms that have incurred livestock losses during calendar years 2005 and 2006 for losses that occurred prior to the date of enactment of this Act (including wildfire disaster losses in the State of Texas and other States) due to a disaster, as determined by the Secretary, including losses due to hurricanes, floods, anthrax, and wildfires.

(2) PAYMENT RATES.—Indemnity payments to a producer on a farm under paragraph (1) shall be made at a rate of not less than 30 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(c) LIVESTOCK INDEMNITY PROGRAM FOR CONTRACT GROWERS.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary shall use funds of the Commodity Credit Corporation to establish a program to assist poultry producers in hurricane-affected counties that suffered income losses.

(2) TERMS AND CONDITIONS.—The program established under paragraph (1) shall contain similar terms and conditions as the terms and conditions used for the livestock indemnity program for contract growers described in subpart E of chapter XIV of title 7, Code of Federal Regulations (as in effect on January 1, 2002).

(d) EWE LAMB REPLACEMENT AND RETENTION.—

(1) IN GENERAL.—The Secretary shall use $15,000,000 of funds of the Commodity Credit Corporation to make payments under the Ewe Lamb Replacement and Retention Payment Program under part 784 of title 7, Code of Federal Regulations (or a successor regulation) for each qualifying ewe lamb retained or purchased during the period beginning on January 1, 2006, and ending on December 31, 2006.

(2) INELIGIBILITY FOR OTHER ASSISTANCE.—A producer that receives assistance under this subsection shall not be eligible to receive assistance under subsection (a).

(e) LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

SEC. 3013. FLOODED CROP AND GRAZING LAND.

(a) IN GENERAL.—The Secretary shall compensate eligible owners of flooded crop and grazing land in—

(1) the Devils Lake basin; and

(2) the McHugh, Lake Laretta, and Rose Lake closed drainage areas of the State of North Dakota.

(b) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive compensation under this section, an owner shall own land described in subsection (a) that, during the 2 crop years preceding receipt of compensation, was rendered incapable of use for the production of an agricultural commodity or for grazing purposes (in a manner consistent with the historical use of the land) as the result of flooding, as determined by the Secretary.

(2) INCLUSIONS.—Land described in paragraph (1) shall include—

(A) land that has been flooded;

(B) land that has been rendered inaccessible due to flooding; and

(C) a reasonable buffer strip adjoining the flooded land, as determined by the Secretary.

(3) ADMINISTRATION.—The Secretary may establish—

(A) reasonable minimum acreage levels for individual parcels of land for which owners may receive compensation under this section; and

(B) the location and area of adjoining flooded land for which owners may receive compensation under this section.

(c) SIGN-UP.—The Secretary shall establish a sign-up program for eligible owners to apply for compensation from the Secretary under this section.

(d) COMPENSATION PAYMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the rate of an annual compensation payment under this section shall be equal to 90 percent of the average annual per acre rental payment rate (at the time of entry into the contract) for comparable crop or grazing land that has not been flooded and remains in production in the county where the flooded land is located, as determined by the Secretary.

(2) REDUCTION.—An annual compensation payment under this section shall be reduced by the amount of any conservation program rental payments or Federal agricultural commodity program payments received by the owner for the land during any crop year for which compensation is received under this section.

(3) EXCLUSION.—During any year in which an owner receives compensation for flooded land under this section, the owner shall not be eligible to participate in or receive benefits for the flooded land under—

(A) the Federal crop insurance program established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(B) the noninsured crop assistance program established under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); or

(C) any Federal agricultural crop disaster assistance program.

(e) RELATIONSHIP TO AGRICULTURAL COMMODITY PROGRAMS.—The Secretary, by regulation, shall provide for the preservation of cropland base, allotment history, and payment yields applicable to land described in subsection (a) that was rendered incapable of use for the production of an agricultural commodity or for grazing purposes as the result of flooding.

(f) USE OF LAND.—

(1) IN GENERAL.—An owner that receives compensation under this section for flooded land shall take such actions as are necessary to not degrade any wildlife habitat on the land that has naturally developed as a result of the flooding.

(2) RECREATIONAL ACTIVITIES.—To encourage owners that receive compensation for flooded land to allow public access to and use of the land for recreational activities, as determined by the Secretary, the Secretary may—

(A) offer an eligible owner additional compensation; and

(B) provide compensation for additional acreage under this section.

(g) FUNDING.—

(1) IN GENERAL.—The Secretary shall use $6,000,000 of funds of the Commodity Credit Corporation to carry out this section.

(2) PRO-RATED PAYMENTS.—In a case in which the amount made available under paragraph (1) for a fiscal year is insufficient to compensate all eligible owners under this section, the Secretary shall pro-rate payments for that fiscal year on a per acre basis.

SEC. 3014. SUGARCANE AND SUGAR BEET DISASTER ASSISTANCE.

(a) FLORIDA.—The Secretary of Agriculture shall use $120,000,000 of funds of the Commodity Credit Corporation to make payments to processors in Florida that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) to compensate first processors and producers for crop and other losses in hurricane-affected counties that are related to hurricanes, tropical storms, excessive rains, floods, and wind in Florida during calendar year 2005, by an agreement on the same terms and conditions, to the maximum extent practicable, as the payments made under section 102 of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act of 2005 (Public Law 108–324; 118 Stat. 1235), including that the 2005 base production of each harvesting unit shall be determined using the same base year crop production history that was used pursuant to the agreement under that section.

(b) LOUISIANA.—

(1) COMPENSATION FOR LOSSES.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to make $120,000,000 in payments to first processors of sugarcane that operate in a disaster county in Louisiana, or obtain sugarcane from a disaster county in Louisiana, and that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)), to compensate the producers and first processors for crop and other losses due to Hurricane Katrina, Hurricane Rita, or related conditions.

(2) ADMINISTRATION.—Assistance under this subsection shall be—

(A) shared by an affected first processor with affected producers that provide commodities to the processor in a manner that reflects contracts entered into between the processor and the producers, except with respect to a portion of the amount of total assistance described under paragraph (1) necessary to compensate affected producers for individual losses experienced by the producers, including losses due to saltwater intrusion, flooding, wind damage, or increased planting, replanting, or harvesting costs, which shall be transferred by the first processor to the affected producers without regard to contractual share arrangements; and

(B) made available under such terms and conditions as the Secretary determines are necessary to carry out this subsection.

(3) LOSS DETERMINATION.—In carrying out this subsection, the Secretary shall use the same base year to determine crop loss that was elected by a producer to determine crop loss in carrying out the hurricane assistance program under section 207 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 543).

(c) FUNDING.—The Secretary shall use $40,000,000 of funds of the Commodity Credit Corporation to provide assistance to sugar beet producers that suffered production losses (including quality losses) for the 2005 crop year.

(d) REQUIREMENT.—The Secretary shall make payments under subsection (c) in the same manner as payments were made under section 208 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 544), including using the same indemnity benefits as were used in carrying out that section.

(e) TEXAS.—The Secretary shall use $400,000 of funds of the Commodity Credit Corporation to assist sugarcane growers in Texas by making a payment in that amount to the Rio Grande Valley Sugar Growers, a farmer-owned cooperative sugarcane processor in that State, for additional demurrage costs at the Port of Baton Rouge and additional storage and transportation costs of

raw sugar resulting from hurricanes during calendar year 2005, excessive rains, floods, wind, and other related conditions.

(f) HAWAII.—The Secretary shall use $6,000,000 of funds of the Commodity Credit Corporation to assist sugarcane growers in Hawaii by making a payment in that amount to an agricultural transportation cooperative in Hawaii, the members of which are eligible to receive marketing assistance loans and loan deficiency payments made available under subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.).

(g) LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

SEC. 3015. SPECIALTY CROPS AND NURSERY CROPS.

(a) IN GENERAL.—The Secretary shall use funds of the Commodity Credit Corporation to provide assistance to producers of specialty crops and nursery crops in hurricane-affected counties.

(b) ADMINISTRATION.—

(1) IN GENERAL.—Assistance required by subsection (a) shall be carried out by the Secretary under the same terms and conditions as the special disaster relief programs carried out for producers that suffered from crop damage and tree losses, and carried out related cleanup, in certain areas of Florida due to Hurricanes Charley, Frances, and Jeanne during August and September 2004, as described in the notice of program implementation relating to Florida citrus, fruit, vegetable, and nursery crop disaster programs (69 Fed. Reg. 63134 (October 29, 2004)).

(2) LOSS OF RECORDS.—Due to the complete destruction of the business records of many producers, the Secretary shall use the best available information in determining eligibility, determining losses, and calculating payment amounts under this section.

(c) LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

SEC. 3016. DAIRY ASSISTANCE.

The Secretary shall use $25,000,000 of the funds of the Commodity Credit Corporation to make payments to dairy producers for dairy production losses and dairy spoilage losses in hurricane-affected counties.

SEC. 3017. COTTONSEED.

(a) DISTRIBUTION OF FUNDS.—The Secretary shall provide disaster assistance under subsection (c) under the same terms and conditions as assistance provided under section 206 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 543), except that assistance shall be—

(1) distributed to producers and first handlers of cottonseed; and

(2) based on cottonseed production during the most recent year for which a disaster payment specifically for cottonseed was not authorized.

(b) COTTONSEED ASSISTANCE.—The Secretary shall use $15,000,000 of the funds of the Commodity Credit Corporation to provide assistance to producers and first-handlers of the 2005 crop of cottonseed in hurricane-affected counties.

SEC. 3018. REDUCTION IN PAYMENTS.

The amount of any payment for which a producer is eligible under this subtitle shall be reduced by any amount received by the producer for the same loss or any similar loss under—

(1) the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148; 119 Stat. 2680); or

(2) an agricultural disaster assistance provision contained in the announcement of the Secretary on January 26, 2006.

Subtitle B—Supplemental Nutrition and Agricultural Economic Disaster Assistance

SEC. 3021. REPLENISHMENT OF SECTION 32.

(a) DEFINITION OF SPECIALTY CROP.—In this section:

(1) IN GENERAL.—The term ''specialty crop'' means any agricultural crop.

(2) EXCEPTION.—The term ''specialty crop'' does not include—

(A) wheat;

(B) feed grains;

(C) oilseeds;

(D) cotton;

(E) rice; or

(F) peanuts.

(b) BASE STATE GRANTS.—

(1) IN GENERAL.—The Secretary shall use $25,500,000 of funds of the Commodity Credit Corporation to make grants to the several States, the District of Columbia, and the Commonwealth of Puerto Rico to be used to support activities that promote agriculture.

(2) AMOUNTS.—The amount of the grants shall be—

(A) $500,000 to each of the several States; and

(B) $250,000 to each of the Commonwealth of Puerto Rico and the District of Columbia.

(c) GRANTS FOR VALUE OF PRODUCTION.—The Secretary shall use $74,500,000 of funds of the Commodity Credit Corporation to make a grant to each of the several States in an amount equal to the product obtained by multiplying—

(1) the share of the State of the total value of specialty crop, livestock, and dairy production of the United States for the 2004 crop year, as determined by the Secretary; by

(2) $74,500,000.

(d) SPECIAL CROP AND LIVESTOCK PRIORITY.—As a condition on the receipt of a grant under this section, a State shall agree to give priority to the support of specialty crops and livestock in the use of the grant funds.

(e) USE OF FUNDS.—A State may use funds from a grant awarded under this section—

(1) to supplement State food bank programs or other nutrition assistance programs;

(2) to promote the purchase, sale, or consumption of agricultural products;

(3) to provide economic assistance to agricultural producers, giving a priority to the support of specialty crops and livestock; or

(4) for other purposes as determined by the Secretary.

SEC. 3022. SUPPLEMENTAL ECONOMIC LOSS PAYMENTS.

The Secretary shall make a supplemental economic loss payment to any producer on a farm that received a direct payment for crop year 2005 under title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901 et seq.) at a rate equal to the product obtained by multiplying—

(1) 30 percent of the direct payment rate in effect for the program crop of the farmer;

(2) 85 percent of the program crop base of the farmer; and

(3) the program payment yield for each program crop of the farmer.

SEC. 3023. REDUCTION IN PAYMENTS.

The amount of any payment for which a producer is eligible under this subtitle shall be reduced by any amount received by the producer for the same loss or any similar loss under—

(1) the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148; 119 Stat. 2680); or

(2) an agricultural disaster assistance provision contained in the announcement of the Secretary on January 26, 2006.

Subtitle C—Forestry

SEC. 3031. TREE ASSISTANCE PROGRAM.

(a) DEFINITION OF TREE.—In this section, the term ''tree'' includes a tree (including a Christmas tree, ornamental tree, nursery tree, and potted tree), bush (including a shrub), and vine.

(b) PROGRAM.—Except as otherwise provided in this section, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance under the tree assistance program established under sections 10201 through 10203 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.) to—

(1) producers who suffered tree losses in hurricane-affected counties; and

(2) fruit and tree nut producers in hurricane-affected counties for site preparation, replacement, rehabilitation, and pruning.

(c) COSTS.—Funds made available under this section shall also be made available to cover costs associated with tree pruning, tree rehabilitation, and other appropriate tree-related activities as determined by the Secretary.

(d) LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

Subtitle D—Conservation

SEC. 3041. NATURAL RESOURCES CONSERVATION SERVICE.

(a) AUTHORITY TO CLEAR DEBRIS AND ANIMAL CARCASSES.—Notwithstanding any other provision of law, the Secretary, acting through the Natural Resources Conservation Service, using funds made available for the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203), may provide financial and technical assistance to remove and dispose of debris and animal carcasses that could adversely affect health and safety on non-Federal land in a hurricane-affected county.

(b) AUTHORITY TO USE CERTAIN PRACTICES.—Notwithstanding any other provision of law, the Secretary, acting through the Natural Resources Conservation Service, may use direct check-writing practices and electronic transfers to provide financial and technical assistance under the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) in a hurricane-affected county.

SEC. 3042. EMERGENCY WATERSHED PROTECTION PROGRAM.

The Secretary shall use an additional $108,500,000 of funds of the Commodity Credit Corporation to carry out emergency measures identified by the Chief of the Natural Resources Conservation Service as of the date of enactment of this Act through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

SEC. 3043. EMERGENCY CONSERVATION PROGRAM.

The Secretary shall use an additional $17,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures identified by the Administrator of the Farm Service Agency as of the date of enactment of this Act through the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.).

Subtitle E—Farm Service Agency

SEC. 3051. FUNDING FOR ADDITIONAL PERSONNEL.

The Secretary shall use $23,000,000 of funds of the Commodity Credit Corporation to hire additional County Farm Service Agency personnel—

(1) to expedite the implementation of, and delivery under, the agricultural disaster and economic assistance programs under this title; and

(2) as the Secretary determines to be necessary to carry out other agriculture and disaster assistance programs.

Subtitle F—Miscellaneous

SEC. 3061. AUTHORITY TO PROVIDE IMMUNIZATIONS.

Notwithstanding any other provision of law, the Secretary of Defense may provide immunizations to employees of the Department of Agriculture involved in direct recovery work in a hurricane-affected county.

SEC. 3062. WAIVER OF CERTAIN PROVISIONS.

Notwithstanding any other provision of law, the Secretary may provide assistance in a hurricane-affected county under the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) without regard to subtitle C of title XII of the Food Security Act of 1985 (16 U.S.C. 3821 et seq.).

SEC. 3063. FUNDING.

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title, to remain available until expended.

SEC. 3064. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

Subtitle G—Emergency Designation

SEC. 3071. EMERGENCY DESIGNATION.

The amounts provided under this title are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE IV

DROUGHT EMERGENCY ASSISTANCE

SEC. 4001. CORPS OF ENGINEERS.

In addition to any other funds made available by this Act, there is appropriated for ''Department of Defense-Civil, Department of the Army, Corps of Engineer-Civil, Flood Control and Coastal Emergencies'', as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), $5,000,000, to remain available until expended, to be used by the Secretary of the Army, acting through the Chief of Engineers, for emergency drought assistance.

SEC. 4002. BUREAU OF RECLAMATION.

In addition to any other funds made available by this Act, there is appropriated for ''Department of the Interior, Bureau of Reclamation, Water and Related Resources'', $7,500,000, to remain available until expended, for drought emergency assistance.

SEC. 4003. EMERGENCY DESIGNATION.

The amounts provided under this title are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE V

PORT SECURITY ENHANCEMENTS

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $266,050,000, to remain available until expended.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $23,000,000, to remain available until expended.

OFFICE FOR DOMESTIC PREPAREDNESS

STATE AND LOCAL PROGRAMS

For an additional amount for ''State and Local Programs'', $227,000,000: Provided, That the entire amount shall be for port security grants pursuant to the purposes of 46 United States Code 70107 (a) through (h), which shall be awarded based on risk and threat notwithstanding subsection (a), for eligible costs as defined in subsections (b)(2)–(4).

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For an additional amount for ''Research, Development, Acquisition, and Operations'' for the Domestic Nuclear Detection Office, $132,000,000, to remain available until expended for the purchase and deployment of radiation portal monitors for United States seaports.

TITLE VI

PANDEMIC FLU

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For an additional amount for ''Public Health and Social Services Emergency Fund'' to prepare for and respond to an influenza pandemic, including international activities and activities in foreign countries, preparedness planning, enhancing the pandemic influenza regulatory science base, accelerating pandemic influenza disease surveillance, developing registries to monitor influenza vaccine distribution and use, supporting pandemic influenza research, clinical trials and clinical trials infrastructure, and the development and purchase of vaccines, antivirals, and necessary medical supplies, $2,300,000,000, to remain available until expended: Provided, That $300,000,000 shall be for upgrading State and local capacity, $50,000,000 shall be for laboratory capacity and research at the Centers for Disease Control and Prevention, and at least $200,000,000 shall be for the Centers for Disease Control and Prevention to carry out global and domestic disease surveillance, laboratory capacity and research, laboratory diagnostics, risk communication, rapid response and quarantine: Provided further, That products purchased with these funds may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile: Provided further, That notwithstanding section 496(b) of the Public Health Service Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologicals, where the Secretary finds such a contract necessary to secure sufficient supplies of such vaccines or biologicals: Provided further, That the Secretary may negotiate a contract with a vendor under which a State may place an order with the vendor for antivirals; may reimburse a State for a portion of the price paid by the State pursuant to such an order; and may use amounts made available herein for such reimbursement: Provided further, That funds appropriated herein and not specifically designated under this heading may be transferred to other appropriation accounts of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this sentence: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE VII

GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

AVAILABILITY OF FUNDS

SEC. 7001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

ADMINISTRATIVE PROVISION

SEC. 7002. Of the amount made available by the Department of Justice Appropriations Act, 2006 under the heading ''Community Oriented Policing Services'' (Public Law 109–108, 199 Stat. 2302), for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797 et seq.), $1,500,000 shall be available to the Attorney General, without regard to such part BB, for the study on forensic science described in House Report 109–272 to accompany Public Law 109–108.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS AND EXPLORATION

ADMINISTRATIVE PROVISION

SEC. 7003. The referenced statement of the managers in House Report 109–272, Making Appropriations for Science, the Departments of State, Justice, and Commerce, and Related Agencies for the Fiscal Year Ending September 30, 2006, and for other purposes, under this heading is deemed to be amended with respect to amounts made available under the heading ''Science, Aeronautics and Exploration'' for the Mitchell Institute by striking ''educational purposes'' and inserting ''the science and engineering education endowment''.

SMALL BUSINESS ADMINISTRATION

ADMINISTRATIVE PROVISION

SEC. 7004. Section 613 of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2338) is amended by striking ''Clark County Department of Aviation, Las Vegas,'' and inserting ''University of Nevada Las Vegas,''.

INTELLIGENCE ACTIVITIES

SEC. 7005. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

OFFICE OF ECONOMIC ADJUSTMENT—DEFENSE

SEC. 7006. Sec. 8044 of Public Law 109–148 (119 Stat. 2708) is amended as follows: After ''Defense,'' and before ''acting'' insert, ''notwithstanding any other provision of law,''.

INVESTIGATIONS, LOUISIANA HURRICANE STUDY COST SHARING

SEC. 7007. The $12,000,000 provided in division B, chapter 3 of title I, Investigations, of Public Law 109–148 (119 Stat. 2761) for the Louisiana hurricane protection study shall be at full Federal expense.

MISSISSIPPI RIVERS AND TRIBUTARIES

SEC. 7008. Chapter 3, under division B of title I of Public Law 109–148 (119 Stat. 2762) under the heading ''Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee'' is modified by inserting the following before the period: '': Provided further, That the Corps is directed to expedite and accelerate completion of any study or any unconstructed portion of the Mississippi River and Tributaries project for the flood and storm damage reduction projects in the south Louisiana area'': Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MISSISSIPPI RIVER-GULF OUTLET

SEC. 7009. Chapter 3, under division B of title I of Public Law 109–148 (119 Stat. 2762) under the heading ''Operations and Maintenance'' is modified by inserting the following before the last proviso: '': Provided further, That $75,000,000 of the funds provided herein shall be used for the repair, construction or provision of measures or structures necessary to protect, restore or increase wetlands, to prevent saltwater intrusion or storm surge'': Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SHORE PROTECTION

SEC. 7010. Section 227 of Public Law 104–303 is modified as follows:

(1) Section 5(a) is amended by striking ''6'', and inserting ''7'' in lieu thereof.

(2) Section 5(e)(2) is amended by striking ''$21,000,000'', and inserting ''$25,000,000'' in lieu thereof.

RECLAMATION STATES EMERGENCY DROUGHT RELIEF ACT OF 1991

SEC. 7011. (a) Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c)) is amended by striking ''September 30, 2005'' and inserting ''September 30, 2010'' in lieu thereof.

(b) Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2241) is amended by striking ''fiscal years 1992, 1993, 1994, 1995, 1996, 1999, 2000, 2001, 2002, 2003, and 2004'' and inserting ''the period of fiscal years 2006 through 2010'' in lieu thereof.

REPROGRAMMING OF FUNDS

SEC. 7012. None of the funds made available before, on, or after the date of enactment of this Act in an appropriations Act may be expended to prevent or limit any reprogramming of funds for a project to be carried out by the Corps of Engineers using funds appropriated in any Act making appropriations for energy and water development, based on whether the project was included by the President in the budget transmitted under section 1105(a) of title 31, United States Code, or is otherwise proposed by the President or considered part of the budget by the Office of Management and Budget, if the project received funds in an Act making appropriations for energy and water development or any other appropriations Act making additional funds available for energy and water development.

BONNEVILLE POWER AUTHORITY

SEC. 7013. None of the funds made available under this or any other Act shall be used during fiscal year 2006 or previous to April 1, 2007 to make, or plan or prepare to make, any payment on bonds issued by the Administrator of the Bonneville Power Administration (referred in this section as the ''Administrator'') or for an appropriated Federal Columbia River Power System investment, if the payment is both—

(1) greater, during any fiscal year, than the payments calculated in the rate hearing of the Administrator to be made during that fiscal year using the repayment method used to establish the rates of the Administrator as in effect on February 6, 2006; and

(2) based or conditioned on the actual or expected net secondary power sales receipts of the Administrator.

DEPARTMENT OF HOMELAND SECURITY

(INCLUDING RESCISSION OF FUNDS)

SEC. 7014. (a) RESCISSION.—Of the funds available for ''Screening Coordination and Operations'', $3,960,000 are rescinded.

(b) SUPPLEMENTAL APPROPRIATIONS.—For an additional amount for the ''Office of the Secretary and Executive Management'', $3,960,000.

DEPARTMENT OF THE INTERIOR—U.S. GEOLOGICAL SURVEY

SEC. 7015. For an additional amount for ''Department of the Interior, United States Geological Survey, Surveys, Investigations, and Research'', $500,000, to remain available until expended, for assistance with assessments of critical reservoirs and dams, including the monitoring of dam structures: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SURFACE MINING CONTROL AND RECLAMATION ACT

SEC. 7016. Section 402(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(b)) is amended by striking ''June 30, 2006'' and inserting ''September 30, 2007''.

DEPARTMENT OF LABOR—OFFICE OF JOB CORPS

SEC. 7017. Notwithstanding section 102 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006 (Public Law 109–149), none of the funds made available under this Act or under the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006, shall be expended for any activity that—

(1) is related to carrying out Order 09–2006 of the Secretary of Labor; or

(2) transfers the Office of Job Corps but does not establish the Office of Job Corps as a single office within the Office of the Secretary that retains all staff, functions and authorities related to carrying out subtitle C of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2881 et seq.).

DEPARTMENT OF LABOR—MINE SAFETY

SEC. 7018. For an additional amount for ''Department of Labor, Mine Safety and Health Administration, Salaries and Expenses'', $25,600,000 for the inspection of coal mines: Provided, That progress reports on hiring shall be submitted to the House and Senate Committees on Appropriations on a quarterly basis, with the first report due June 15, 2006: Provided further, That the amounts provided under this heading shall remain available until September 30, 2007: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CENTERS FOR DISEASE CONTROL—MINE SAFETY

SEC. 7019. For an additional amount for ''Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research and Training'', to carry out section 501 of the Federal Mine Safety and Health Act of 1977, $10,000,000 for research to develop mine safety technology including grants and contracts: Provided, That progress reports on technology development shall be submitted to the House and Senate Committees on Appropriations on a quarterly basis, with the first report due June 15, 2006: Provided further, That the amounts provided under this heading shall remain available until September 30, 2007: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RAILROAD RETIREMENT BOARD

SEC. 7020. Public Law 109–149 (119 Stat. 2876) under the heading ''Railroad Retirement Board, Dual Benefits Payments Account'' is amended by striking ''proportional to the amount by which the product of recipients and the average benefit received exceeds $97,000,000'' and inserting ''to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits'' in lieu thereof.

HEAD START REGULATIONS EFFECTIVE DATE

SEC. 7021. Section 224 of Public Law 109–149 (119 Stat. 2862) is amended by striking ''June'' and inserting ''December'' in lieu thereof.

MILITARY CONSTRUCTION

AUTHORIZATION

SEC. 7022. Section 2401 of the Military Construction Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended by striking after ''Augusta'', ''$61,466,000'' and inserting in lieu thereof ''$340,854,000''. This project may be incrementally funded. Funds appropriated in Public Law 109–114 for this project shall be available to fund the first increment.

MILITARY CONSTRUCTION

AUTHORIZATION

SEC. 7023. Section 2401 of the Military Construction Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended by striking after ''Kunia'', ''$305,000,000'' and inserting in lieu thereof ''$350,490,000''. The project may be incrementally funded. Funds appropriated in Public Laws 108–7, 108–87, and 109–114 for this project shall be available to fund the first increment.

MILITARY CONSTRUCTION

AUTHORIZATION

SEC. 7024. Section 2846 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1320), as amended by section 2865 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat 2149) is further amended by striking ''840 acres'' and inserting ''1,540 acres''.

DETAIL AUTHORITY FOR DOT

SEC. 7025. Section 171 of Public Law 109–115 (119 Stat. 2426) is amended by inserting before the period at the end of the following '': Provided, That the Department's Office of Intelligence, Security, and Emergency Response may assess and enter into reimbursable agreements with the modal administrations for services necessary to carry out emergency preparedness or emergency response activities, as determined by the Secretary of Transportation: Provided further, That notwithstanding any other provision of law, the Secretary is authorized to detail modal administration employees to the Office of Intelligence, Security, and Emergency Response without reimbursement and for fixed periods of time, as determined by the Secretary, only insofar as necessary to carry out emergency preparedness or emergency response activities: Provided further, That the Department shall transmit to the Committees on Appropriations of the Senate and of the House of Representatives a quarterly report that provides information describing any reimbursable agreements or personnel details carried out in accordance with this section''.

EMERGENCY HIGHWAY FUNDS

SEC. 7026. Under the heading ''Department of Transportation, Federal Highway Administration, Emergency Relief Program'' in Public Law 109–148 (119 Stat. 2778), strike ''$629,000,000'' and insert ''$803,000,000''.

LIMITATION ON CERTAIN TRANSPORTATION ACTIONS

SEC. 7027. None of the funds made available by this or any other Act may be used to issue or implement a decision on the Notice of Proposed Rulemaking (70 Fed. Reg. 67389) that proposes to change the Department's long-standing interpretation of ''actual control'' of an airline for purposes of section 40102(a)(15) of title 49, United States Code, issue any final rule, or make any fitness determination under section 41102 of that title that would change the Department of Transportation's long-standing interpretation concerning what constitutes ''actual control'' of an airline for purposes of section 40102(a)(15) of such title, or to submit a final rule to the Congress under chapter 8 of title 5, United States Code, that would change that interpretation.

DOJ AND TREASURY FUNDING FOR INTELLIGENCE ACTIVITIES

SEC. 7028. (a) Funds appropriated for intelligence activities, or made available by the

transfer of funds, by this Act, by Public Law 109–108 for the Department of Justice, or by Public Law 109–115 for the Department of the Treasury, are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947, as amended, (50 U.S.C. 414) during fiscal year 2006 until the enactment of the Intelligence Authorization Act for Fiscal Year 2006.

(b) Subsection (a) shall be effective:

(1) with respect to funds appropriated, or made available by the transfer of funds, by this Act, upon the enactment of this Act;

(2) with respect to funds appropriated, or made available by the transfer of funds, by Public Law 109–108 for the Department of Justice, as if enacted on the date of enactment of Public Law 109–108; and

(3) with respect to funds appropriated, or made available by the transfer of funds, by Public Law 109–115 for the Department of the Treasury, as if enacted on the date of enactment of Public Law 109–115.

FUNDING FOR TREASURY TRAVEL

SEC. 7029. The first sentence under the heading ''Department of the Treasury, Departmental Offices, Salaries and Expenses'' in title II of division A of Public Law 109–115 (119 Stat. 2432) is amended by inserting after ''travel expenses'' the words ''(except for travel performed by officials in the Office of Terrorism and Financial Intelligence and the Office of International Affairs)''.

ECONOMIC DEVELOPMENT INITIATIVES CORRECTIONS

SEC. 7030. (a) The referenced statement of the managers under the heading ''Community Development Fund'' in Public Law 108–199 is amended with respect to item number 380 by striking ''for construction of a new facility'' and inserting ''to upgrade an existing facility''.

(b) The referenced statement of the managers under the heading ''Community Development Fund'' in Public Law 108–199 is amended with respect to item number 188 by striking ''for the renovation of the historic Coca-Cola building'' and inserting ''for the construction or development of a driver's license facility''.

(c) The referenced statement of the managers under the heading ''Community Development Fund'' in Public Law 109–115 is amended with respect to item number 532 by striking ''Mark Twain Neighborhood Association'' and inserting ''Mark Twain Community Alliance''.

GSA TRANSFER OF PROPERTY

SEC. 7031. Notwithstanding any other provision of law, the Administrator of General Services may convey, without consideration ownership and jurisdiction (custody, accountability and control) to the City of Crosby, North Dakota real property as described: Lots 9, 10, 11, 12, 13, and 14, Eastlawn Addition to Crosby, Divide County, North Dakota.

This Act may be cited as the ''Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006''.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COCHRAN. Mr. President, it is my pleasure and honor to describe for the Senate the supplemental appropriations bill that has been reported by our committee. The President has requested supplemental appropriations for this fiscal year, which the committee has reviewed. The House has passed a bill reporting and referring to the Senate this bill that is described as an emergency. The funds are needed primarily for the global war on terror, which is included in title I of the bill.

The total committee substitute would provide $106,474,107,000 in supplemental appropriations for this fiscal year, 2006. It is above the President's request by $14,253,522,000. It is also above the House-passed bill, and we have broken this down and presented it to the Senate in titles.

The first title provides money primarily for defense-related activities, as I said, to carry out the global war on terror. It provides funding for ongoing operations and reconstruction efforts in Iraq and Afghanistan.

In title II, we have included funds above the President's request for recovery from the damages caused by the hurricanes in the Gulf of Mexico in 2005. The President requested $19.7 billion for this purpose. The committee, in consideration of amendments offered by Senators during the markup session, approved an additional $7.4 billion for this purpose. So the total of title II is $27,126,662,000.

Title III reflects the provision of an amendment that was offered in committee by Senators DORGAN of North Dakota and BURNS of Montana relating to agricultural disaster assistance for farmers and ranchers in States that are affected either by the hurricanes of 2005 or drought, flood, wildfires, and other natural disasters that have occurred. That amendment provides exactly $3,944 million for emergency agricultural disaster assistance.

Title IV reflects an amendment that was approved by the committee for emergency drought assistance, more broadly defined, and is an amendment offered by the Senator from New Mexico, Mr. DOMENICI, and agreed to by the committee, with $12,500,000 for that purpose.

Title V is an appropriation of $648,050,000 for port security enhancements. This was requested by—and the committee approved the request—the distinguished Senator from West Virginia, Mr. BYRD.

Title VI includes funds for influenza pandemic preparation and response activities. The administration asked for this amendment. It was included by the committee. It provides $2,300 million for that purpose.

Title VII is the part of the bill that has general provisions and technical provisions.

Overall, the bill can be described as having two major points of focus. First, it provides needed funding for our military to continue to carry out operations overseas. It also includes the commitment to rebuild the gulf coast to permit inhabitants there to recover from the devastation caused by Hurricanes Katrina and Rita.

It is my opinion—and I think this reflects the action taken by our committee—that it is critical that these funds be provided expeditiously, and we need the cooperation and support of all Senators to accomplish this goal. The committee recommendation has been available to Senators for several weeks. I hope we can consider amendments in an orderly fashion, that they can be brought up as early as possible so they can be considered without prolonged and unnecessary delay.

I have to say that the individual subcommittee chairmen worked hard to identify the needs in the areas under their jurisdiction. Those who serve as ranking minority members of the subcommittees have had opportunities to participate. It has been a bipartisan effort made by our committee to bring to the bill a recommended appropriation amount that would serve our national security interests as well as our economic interests and other problems that were caused by natural disasters.

At the appropriate time, I will move that the committee substitute be adopted and be treated as original text for the purpose of further amendments. I have to say at this point that the work of this committee reflects bipartisan cooperation and mutual respect between the Members on both sides of the aisle. It carries out a tradition that I believe has been one of the hallmarks of the activity of the Senate. It has reflected credit, therefore, on the Senate.

I hope Members will understand that we are not addressing issues on the basis of partisanship but on the basis of need to address problems that confront our country and those which were unanticipated when the President submitted his initial budget request for this fiscal year. We have had other events that have caused us to have to proceed to adopt emergency appropriations bills, and here again that is something we have to deal with. We are presenting this bill as a good-faith effort to meet the needs of the country as we see them and as requested by the President.

I am happy to yield to my friend, the distinguished Senator from West Virginia, Mr. BYRD, who has provided very important assistance to me personally and, through his service in the Senate, to the work of this committee for a long time. We appreciate his valuable assistance. All members of the committee have worked to be sure that this is a good bill and deserves the support of the Senate. I think it does.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the truly distinguished and able chairman of the Senate Appropriations Committee, Mr. COCHRAN, for all of his hard work on this bill. He is so diligent, so fair, so honorable. I am proud to serve with him. Mississippi is so well represented in the Senate by this man. As a matter of great pride, I call him my friend, my colleague, my chairman.

The President has asked the Congress to approve over $92 billion of emergency spending, including $72.5 billion

for the wars in Iraq and Afghanistan and $19.8 billion for the Federal response to the terrible hurricanes that struck the Gulf States in August and September of 2005.

When the committee opened its hearings on the supplemental on March 7, I stated my belief that it is our duty to scrutinize the President's request not only for what is in the bill but also for what is not in the bill. I said to the distinguished chairman and to Senator LANDRIEU and others that I would help them in every way I could in responding to the terrible storms that hit their States.

My State of West Virginia is often hit by floods and other damaging disasters, such as the recent accidents in West Virginia's coal mines. I am very sensitive to the ability of our Federal Government to prepare for and respond to disasters promptly and with competence, which is what our citizens need and what our citizens deserve. Sadly, many of our Federal agencies are no longer up to these fundamental tasks.

Mr. President, the chairman of the committee has taken the bull by the horns. Under his leadership, the recommendations of the committee fill in some of the gaps in the administration's request for funds required to respond to the hurricanes.

The committee added approximately $7.4 billion to the President's budget request—that is not chickenfeed—$7.4 billion added to the President's budget request for Federal programs to respond to these disasters.

I have to also note that the chairman of the committee included at my request—he would probably have done it, anyhow; perhaps I made it a little easier—and the request of others an amount of $35.6 million for improved mine safety and health programs. In the wake of 18 coal mining deaths in the State of West Virginia this year and another 16 mining deaths in other States this year, it is imperative that the Congress act immediately to ensure that an adequate number of safety inspectors will be provided for our Nation's mines and to expedite the introduction of critical safety equipment.

It is simply, absolutely, positively inexcusable that our miners have oxygen canisters that last only 1 hour—1 hour—when miners may be trapped underground for several days, or that the miners may not have emergency communications equipment. Think of that. Miners may not have emergency communications equipment that can reach the surface in the event of an extended rescue effort. I tell you, this is something to talk about.

The chairman has my genuine appreciation for including these funds in the committee-reported bill. I also thank Senator SPECTER, Senator HARKIN, and Senator ROCKEFELLER for their support of the initiative.

By the way, Senator ROCKEFELLER is recuperating from a very serious operation. He may not get back in the harness here until June. I was talking with him a couple of days ago. He probably won't get back until June. JOHN D. ROCKEFELLER, my colleague from West Virginia.

The bill before the Senate also includes a provision to extend the abandoned mine land authority through fiscal year 2007. The AML program and combined benefits fund are very important programs that are needed by retired coal miners, by their families, and by coalfields communities throughout the country. I thank Chairman COCHRAN. I thank Senator SPECTER and Senator DOMENICI for supporting this effort.

The supplemental appropriations bill includes $67.8 billion for the Department of Defense to prosecute the wars in Iraq and Afghanistan. Upon passage of this legislation, the total amount appropriated for the war in Iraq, including the cost of reconstruction, will be $320 billion. Mr. President, that is $320 for every minute since Jesus Christ was born 2,000 years ago. That is a lot of money. Man, think of that.

That is a staggering figure, but what is even more unbelievable is that the monthly cost of the war in Iraq has been steadily, steadily, steadily escalating. In May 2004, the Defense Department reported to the Armed Services Committee that the cost of operations in Iraq was averaging $4 billion per month. The Congressional Research Service reported this month that during fiscal year 2005, the cost of the war in Iraq had escalated to $5.6 billion per month. The Congressional Research Service estimates that the cost of operations in Iraq during the current fiscal year will grow to $6.8 billion per month.

I ask the Chair, can you comprehend how much money that is, $6.8 billion? That is $6.80 for every minute since Jesus Christ was born. Contemplate that.

The American people ought to be asking how on Earth has the monthly cost of the war in Iraq grown by 70 percent just in 2 years. Isn't there any way to control the cost of the war while making sure that our troops continue to get the support they need?

The truth is that the administration is out of control when it comes to asking for emergency spending. According to a Congressional Budget Office report, the White House has requested $515 billion in emergency spending between 2001 and 2006. That is more than 3½ times the combined total of all—all, a-l-l—all of the emergency spending bills in the previous 10 years.

Say that again. Did you hear me? More than 3½ times the combined total of all of the emergency spending bills in the previous 10 years.

The President refuses to include in his annual budget request a realistic estimate of the cost of the wars. As a result, there is virtually no debate about how our country is going to pay for these massive bills. And what is more, these emergency spending requests mean that Congress has only a limited opportunity to scrutinize the administration's spending proposals. As a result, nobody—nobody—seems to be minding the store when it comes to controlling the escalating cost of the wars in Iraq and Afghanistan.

I tell you, I was in favor of fighting the war in Afghanistan, but I was not in favor of going into Iraq. No, man. No.

The failure of the President to heed the repeated calls by the Senate—by the Senate, that is this body—to budget for the wars in Iraq and Afghanistan has resulted in more unnecessary spending that is hidden—hidden—from public view.

For example, the President requested $8.3 billion in military procurement to replace wornout or battle-damaged equipment, but this is essentially forward funding of replacement equipment that should be bought using funds in the regular appropriations bill. Since we do not need to buy the same equipment twice, future Defense spending bills need not appropriate procurement funds that have already been approved in previously enacted emergency appropriations bills.

This forward funding of military procurement accounts should then mean savings in the regular Defense appropriations bill. But when will these savings appear?

With the approval of this bill, the Department of Defense budget for fiscal year 2006 is $534 billion, an increase of 74 percent over fiscal year 2001. Congress has rubberstamped much of this increase without indepth budget justification.

Until the President begins to include a real estimate of the cost of the wars in his annual budget, American taxpayers will continue to see billions more dollars spent without any true measure of accountability. That is why I will again offer an amendment to the supplemental appropriations bill that calls for the President to budget for the cost of the wars in Iraq and Afghanistan.

The Senate has given its strong support to this amendment four times—four times—and the President continues to look the other way, continues to disregard this direction by the Senate. The Senate must insist on a long overdue and responsible step of budgeting for the cost of the war.

I am also very disappointed that the White House limited the supplemental request to the cost of the wars in Iraq and Afghanistan and in response to Hurricanes Katrina, Rita, and Wilma. As the Senate debates immigration and border security, it is rather astonishing, wouldn't you think, that no funding was included for border security. Nor were any funds included for port security. Dubai Ports World is now operating terminals at six of our major ports.

The ''layered defense''—if I may put quotation marks around those two words—the ''layered defense'' that the

administration claims is protecting our ports is, in fact, paper thin—paper thin. It is just that thin.

Nor did the President seek any supplemental funding for preparing for or preventing the outbreak of the avian flu or to help our farmers who have been devastated by drought and by the hurricanes.

The Appropriations Committee, under the chairmanship of Senator COCHRAN, has wisely approved funding for port security, wisely approved funding for the avian flu, wisely approved funding for drought relief, and I hope that border security funding will be approved this week on the floor.

I challenge the White House—it is easy to be brave from a distance; I am quite a ways up the avenue from the White House—I challenge the White House—come on—I challenge the White House to get serious about these issues. These are also emergencies. The White House should be leading rather than opposing efforts to improve border security and port security, and it should be preparing for the avian flu and helping our farmers.

The administration has a huge credibility gap when it comes to homeland security. There is a continuing drumbeat that another terrorist attack may occur or is even likely. The President, in his State of the Union Address, told the American people:

> The enemy has not lost the desire or capability to attack us.

That is true. One look at the budget reveals an odd complacency. The administration's speech writers and his policy writers seem to be living in different worlds.

In response to the administration's decision to allow Dubai Ports World to operate terminals in six major U.S. ports, it is asserted by the administration that it has a robust, layered security system for our ports. And yet for the second straight year, the White House proposes to eliminate the Port Security Grant Program. Of the $816 million the Congress has appropriated since September 11 for port security, only $46 million was requested by the President. There is nothing ''robust'' about that.

How serious are we about port security, when the President, the Vice President, the Secretary of Defense, and the Secretary of Homeland Security don't even know about the decision to sell the operation of six U.S. ports to a State-owned foreign company?

How serious are we about port security when Customs and Border Protection inspects only 5 percent of the 11 million containers that come into the country each year?

How serious are we when the Coast Guard Deepwater budget for replacing its ships, planes, and helicopters will not be completed until 2026?

The administration has not requested one thin dime for port security in this $92 billion supplemental.

The committee-reported bill includes my amendment to provide $648 million to fill critical gaps in our paper-thin port security program. The bill now provides resources for more radiation portal monitors, more container inspections, more port inspections, and would fund port security grants at the levels anticipated in the Collins-Lieberman and Stevens-Inouye port security authorization bills.

The American people—our people, your people—yes, our people, the American people—expect more than just a paper-thin—you can almost see through that—the American people expect more than just a paper-thin security plan for our ports. The bill, as reported by the Senate Appropriations Committee, begins—and Senator COCHRAN, the chairman of that committee, can take a lot of credit—begins to address this paper-thin port security program by including a total of $648 million to fill critical gaps in our port security program. I thank Senators DAN INOUYE, HERB KOHL, and TOM HARKIN for their support of my initiative in committee. Whose initiative? Mine, my initiative. Dizzy Dean says it is all right to brag if you have done it. Well, I have done it.

The White House should step to the plate and support this effort.

While the committee-reported bill has made some progress to address the gaps in the Nation's port security defenses, it virtually ignores border security. The Senate has recently been debating immigration and border security legislation to authorize a whole host of items intended to secure our borders. The legislation would authorize the hiring of additional Border Patrol agents. It would authorize the hiring of additional immigration enforcement agents and detention officers. It would authorize border surveillance, technology, and unmanned aerial vehicles, and fences.

I am very concerned—very concerned—about lax border security. In fact, together with our colleague, Senator LARRY CRAIG, and with the support of my Homeland Security Subcommittee chairman, Senator JUDD GREGG, I led the effort in the Senate last year to appropriate hard dollars to begin to put real teeth—see these teeth? These are real teeth. They are just 88 years old. These are real teeth. Well, that is what we did. We put real teeth in our border security agenda. We did not merely authorize the hiring of more Border Patrol agents; we appropriated hard dollars to hire 500 more Border Patrol agents, as well as more immigration enforcement agents and detention officers. Don't you feel better about that? I do. I can sleep a little better. I will bet Senator HARKIN sleeps better at night because of it. Those 500 Border Patrol agents have been hired and trained and are deployed on our borders. They are out there defending our borders while we are sleeping. Think about that.

As we hire more Border Patrol agents and other immigration enforcement officials, they must have the tools they need to do their job. We need to start paying for those tools now so that they will be available as more and more Border Patrol and immigration enforcement officials are hired and trained.

I will be talking again about this matter as the Senate proceeds to consider this supplemental appropriations bill. Securing our borders requires more than just hot air. Hot air is cheap. We must put real dollars to work for border security.

Mr. President, I am pleased to report to the Senate that the committee-reported bill, under the strong leadership of Chairman COCHRAN—hey, you people down there in Mississippi better hold on to this man. He does a terrific job on this committee. This bill includes several other initiatives to deal with gaps in funding in the budget request.

I would suggest that principal among these gaps is an amount of $2.3 billion required to prepare for and to respond to a potential influenza pandemic such as the avian flu. My mother died during the great influenza epidemic of 1917 and 1918; the great influenza epidemic. So there is money here to prepare for and to respond to a potential influenza pandemic. The World Health Organization recommends that countries stockpile enough antiviral medications to cover 25 percent of the population or 80 million Americans.

According to the Department of Health and Human Services, there is a shortfall of 30 million courses. HHS will not receive the antivirals it has ordered until the end of this year.

We are also well short of the 20 million goal that has been set by HHS for purchasing prepandemic vaccine. Experts have said that a vaccine is the only effective way to stop the spread of a pandemic.

The availability of the vaccine and medicine is limited. The availability is limited. We should not wait to place our orders. The White House should support this effort.

The committee-reported bill also includes approximately $3.9 billion for emergency agricultural disaster assistance for farmers and ranchers in States affected by recent hurricanes in the gulf, drought in the southern plains and throughout the western corn belt, and excessive rainfall in North Dakota—North Dakota: Do you know where that is? That is north of South Dakota. North Dakota—and the upper Midwest flood. Nearly 80 percent of all U.S. counties were designated as primary or contiguous disaster areas by the Secretary of Agriculture or the President in 2005.

So, Mr. President, the chairman and I look forward to a good debate on this supplemental appropriations bill. It is a good bill, and it is truly responsive—truly responsive—to the needs of the American people.

Mr. President, I yield the floor.

Mr. COCHRAN. Mr. President, I want to express my genuine heartfelt appreciation for the remarks of the distinguished Senator from West Virginia

about me and about the work of our committee. He has been a very valuable tutor, friend, and companion during the work of our Committee on Appropriations since I have been on the committee, since January of 1981. I have learned a lot from him. I have learned to respect him in terms of the conscientious way he goes about carrying out his responsibilities to the people of West Virginia and also to the people of the United States as a U.S. Senator. We can all study his career and his dedication to public service with great profit for our own interests. We can be guided by his example and be very proud of our work product if we do.

Mr. President, at the appropriate time, I will ask unanimous consent that the committee amendment be agreed to and the bill as thus amended be considered as original text for the purpose of further amendment, and that no points of order be waived by the request. I give the Senate notice that I will make that unanimous consent request in due course, and it probably will occur immediately after our break for the policy luncheons of the respective parties of the Senate. I am happy to yield to any other Senator who wishes to make any comments. I understand the Senator from Minnesota would like to speak as if in morning business, and I yield the floor.

Mr. COLEMAN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

(The remarks of Mr. COLEMAN pertaining to the submission of S. Res. 442 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

Mr. COLEMAN. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:34 p.m., recessed until 2:17 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006—Continued

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

AMENDMENT NO. 3594

Mr. GREGG. Mr. President, we are now on the supplemental appropriations bill. One of the issues raised in the supplemental appropriations bill, of course, is national defense. The purpose of this bill is primarily to fund efforts to fight terrorism and especially to make sure that our troops in Iraq and in Afghanistan have what they need in order to effectively fight terrorism. A big part, however, of national defense is clearly border security—being sure that we know who comes into this country, know what their purposes are when they come into this country, and whether they are coming into this country for the purpose of visiting us or maybe participating in our economy or for the purpose of doing us harm.

Unfortunately, we have for a number of years experienced borders which are very porous. That is a function of our history—where we have always believed in open borders, especially with our neighbors to the north and to the south.

That has been one of our great attitudes as a nation—that we are an inviting nation, and we have always felt strongly that we should have reasonably open borders. But in the post-9/11 world—and especially in light of the dramatic number of people who have been coming into our country illegally—we can no longer tolerate that approach, unfortunately. We need to put more aggressive effort into making sure that we know who is coming over the borders and limiting those folks coming over our borders to people who want to come in here legally and who do not want to do us harm.

As a result of that, we have undertaken for the last couple of years an aggressive effort to significantly increase the number and the effort of our Border Patrol agencies—Customs, Border Patrol, Coast Guard, and ICE. In fact, over the last 1½ years we have dramatically increased funding for all of these different agencies. This chart lists those types of increases in those prior supplementals and in the last appropriations bill relative to border security. We increased Border Patrol agents by 1,500. That is a lot. That is an increase of over 10 percent in agents, an increase in detention officers by 650 officers, investigators, and detention beds—again, by almost 10 percent.

This is a significant ramping up of the number of, for lack of a better word, boots on the ground on our border—especially on our southern border. That is exactly what we needed to do. In fact, as we move into the outyears, the administration—the President specifically—has made a strong commitment to try to continue this increase in our border security.

This chart reflects how many agents we intend to add every year so that we can make sure we have the necessary personnel on the border in order to make sure that we can limit dramatically—in fact, basically stop—illegal immigration into this country, especially along the southern border.

The reason we have added 1,500 agents so far—and we intend to add another 1,500 or 2,000—and the reason we are not adding more every year is because the infrastructure can't handle any more, to be honest with you. We can't train more, and we actually can't find more agents. In many instances, people who qualify—I have forgotten the numbers. I think it is something like 30,000 or 40,000 applications that we have to go through in order to get down to 1,500 agents.

It is actually hard to become a Border Patrol agent from a percentage standpoint of the number of people applying for the job versus the number of people who actually end up getting the job. It is harder to become a Border Patrol agent than it is to get into Harvard. That is because Border Patrol agents require special skills. They are talented people. And the type of folks we want to draw into this responsibility are people who have to have a tremendous amount of ability and expertise, and they are very hard to find. But they are good people, and we are adding to them dramatically.

We intend to get the Border Patrol up to 20,000 agents and an increase of detention beds of another 10,000. We will be literally able to control the southern border. We will no longer have this issue of people coming cross the southern border in waves illegally. Literally, we can stop that. We can do it, and we intend to do it. There is no issue about this. We intend to do this. However, we have found in ramping up the number of Border Patrol agents they have run into a fairly significant problem.

As an aside, I note that the only reason we have been able to increase these Border Patrol agents so dramatically is because Senator COCHRAN, as chairman of the full Appropriations Committee, has allowed the subcommittee, which I chair—the Homeland Security Subcommittee—to get special allocations in order to fund those.

It has really been out of his courtesy, his energy, and the support of Senator FRIST in this effort that we have been successful in basically increasing these numbers. We are on this path of basically being able to have enough boots on the ground in the Border Patrol area and Customs area and ICE area in order to adequately control the border.

What we found going through this process of expanding dramatically Border Patrol agents and Customs and ICE agents is that the infrastructure to support these people isn't there. They are driving old cars. For the most part they are flying helicopters which are 20 years over their useful life. Customs is actually flying airplanes that are 20, 30, or 40 years over their useful life. In fact, just recently the Customs agency was forced to basically ground all its Customs planes for a brief period of time, and the P–3 fleet, which is 40 years old, because these types of cracks developed in their wings. They obviously couldn't fly them. So they had to repair all of them—or not all but those that had this potential type of stress.

We have a very old fleet of aircraft. They are not able to do the job.

Equally important, in the technology area where we really should be more aggressive and where we really have

the capability of having a huge impact along the border through surveillance capabilities—not necessarily require people, but it can be done by electronics such as unmanned aerial vehicles—we only have one flying the border. Regrettably, that one crashed today. It is ironic that we have this amendment on the floor. The one UAV we have actually crashed. So we don't really have unmanned aerial surveillance. This is in the Arizona area.

We think actually we should not only have one but that we should have a fair number of UAVs on the border. The situation with the purchase and buildup of UAVs is that if we are to stay with the present budget projections, we wouldn't have the full compliment that we would need for 4 or 5 years.

The amendment I offer today is an amendment to try to address the capital needs of border security in the Customs account, in the Coast Guard account, in the Border Patrol account, and in the ICE account—the capital operational needs, not the people on the ground but the capital needs which are deemed to be in an emergency distress situation.

Why is this justifiable on this bill? Because this bill is about defense, especially relative to terrorism. Yet fighting the war in Iraq is critical to this war on terrorism, and fighting the war in Afghanistan is critical to the war on terrorism, but I think equally important is making sure that our borders are secure.

That is as big an issue as we have today in the area of fighting the war on terrorism. We can't be effective on that issue unless we have the resources and the people in order to take care of securing the border. We are moving toward getting the people, and we are bringing them on line as fast as we can in the context of our capability to hire new people. But what we do not have is the resources to be able to support these folks.

This amendment will essentially accomplish that. It will add money for airplanes, and specifically to try to address the issue of flying all of these P–3s that are so old. The vast majority of this money will be for aircraft—over $700 million of it. It will add money for purchasing more UAVs so we can get these UAVs in the air sooner rather than later.

It cost about $30 million to put one of these up, to put the electronics behind it and the command center behind it. It will add money for purposes of construction so that as we add these new Border Patrol agents and these other new agents in these other departments, they will have the physical facilities to be able to handle their day-to-day operational needs.

It will add cars and SUVs, which are so critical, especially in some of these harsh frontier-type environments which they face along the border. It adds helicopters. Almost all the helicopters they are flying today are 20 years over their useful life. We replace those.

In the area of the Coast Guard, it will put in the water the type of boats they need in order to chase down the boats that are basically being used for illegal transportation of people into this country. And it will also assist the Coast Guard in advancing their aircraft capability in that area.

All of this is critical to putting in place the infrastructure to make sure that as we put the people on the ground, they have the assets necessary in order to effectively control the borders.

It is an emergency. These facilities are either not there today, such as in the case of UAVs, or they are not working well today, such as in the case of the P–3s, or they simply have not been ungraded to the point of being effective as we move forward with this larger basically human commitment on the ground, such as in the case of headquarters and facilities for these folks to work out of, helicopters to move them around, and automobiles to move them around, or fast craft for the Coast Guard to use to get out there and do their job.

It needs to be stressed that this amendment is completely paid for. It is paid for within the context of the President's initial presentation. The President sent up here initially a $92 billion proposal for emergency spending for the purposes of fighting the war on terror and addressing the issue of Katrina. Of that $92 billion, approximately $69 billion was specifically for fighting the war.

We have basically reallocated within that $69 billion money to pay for this initiative. I feel very strongly, as do the cosponsors of this bill—and I will get to who the cosponsors are of this bill because it is important—that this issue be addressed sooner rather than later; that we give our Border Patrol agents the tools they need, Customs the tools they need, the Coast Guard the tools they need, in order to secure the border.

This will be a major step forward in making sure we accomplish this goal. The goal is to make sure, at least on the southern border, that we know who is coming across the border, that we can control that border, and we do it in the near term rather than waiting for the long term.

It is a fully paid-for amendment, keeping the proposal the President sent up here, keeping the integrity of that proposal, relative to the top line number which was about $92.5 billion. So this amendment is done in that context. It does not take money from the additions that came out of committee. I happen to believe those additions were inappropriate. I am hopeful they will all fall by the wayside except for the avian flu one which is a legitimate emergency, and that when this bill is completed, either in the Senate or in the conference, it will be back to the original number prepared by the President.

I suppose I could have gone into the additional funding and taken it right out of that, but that would not be a legitimate approach. I am trying to make sure this offset is legitimate to the initial number which was $92 billion.

This amendment is cosponsored by myself, by the majority leader, Senator FRIST, who has been a tremendous advocate for this type of initiative, and by the senior Senator on the Democratic side, Senator BYRD, who also happens to be the ranking member of the Committee on Appropriations and the ranking member of the Subcommittee on Homeland Security. I very much appreciate Senator BYRD's cosponsorship and obviously greatly appreciate Senator FRIST's cosponsorship.

Again, I stress none of this would be able to be accomplished had it not been for the efforts which were well beyond what one might have expected from the Senator from Mississippi who a year and a half ago—after the administration regrettably sent up a budget which was woefully short because they allocated incorrectly for homeland security—he came forward and gave us an allocation which allowed us to put in place the people on the ground, the extra 1,500 border people, the extra beds which we are now trying to give to the backup facilities with what I would call a capital funding initiative for emergency capital needs of the Border Patrol. It was the Senator from Mississippi, the chairman of the Committee on Appropriations, who was able to get us on this path to a constructive and appropriate approach for addressing the border issue.

I believe the amendment is at the desk and I ask it be reported.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for himself, Mr. FRIST, and Mr. BYRD, proposes an amendment numbered 3594.

Mr. GREGG. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide, with an offset, emergency funding for border security efforts)

At the appropriate place, insert the following:

TITLE ___—BORDER SECURITY

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR BORDER SECURITY

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For an additional amount for the ''Office of the Secretary and Executive Management'' to provide funds for the Office of Policy, $2,000,000: *Provided*, That the entire amount is solely for a contract with an independent non-Federal entity to conduct a needs assessment for comprehensive border security: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95

(109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE CHIEF INFORMATION OFFICER

For an additional amount for the ''Office of the Chief Information Officer'' to replace and upgrade law enforcement communications, $50,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES VISITOR AND IMMIGRATION STATUS INDICATOR TECHNOLOGY

For an additional amount for ''United States Visitor and Immigration Status Indicator Technology'' to accelerate biometric database integration and conversion to 10–print enrollment, $60,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $180,000,000, of which $80,000,000 is for border patrol vehicle replacement and $100,000,000 is for sensor and surveillance technology: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure of these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'' to replace air assets and upgrade air operations facilities, $790,000,000, to remain available until expended, of which $40,000,000 is for helicopter replacement and $750,000,000 is for recapitalization of air assets: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve an expenditure plan for the complete recapitalization of Customs and Border Protection air assets and facilities: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'', $120,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure for these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to replace vehicles, $80,000,000: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'' for acquisition, construction, renovation, and improvement of vessels, aircraft, and equipment, $600,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for ''Acquisition, Construction, Improvements, and Related Expenses'' for construction of the language training facility referenced in the Master Plan and information technology infrastructure improvements, $18,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS TITLE

REDUCTION IN FUNDING

SEC. ___. (a) REDUCTION.—Except as provided in subsection (b), the aggregate amount provided by chapter 3 of title I of this Act and chapter 3 of title II of this Act may not exceed $68,962,188,000.

(b) INAPPLICABILITY TO AMOUNTS FOR MILITARY CONSTRUCTION.—Subsection (a) does not apply to amounts provided by chapter 3 of title I of this Act and chapter 3 of title II of this Act for military construction.

Mr. GREGG. I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the Senator from Georgia has indicated he wishes to speak on the amendment and I defer to him.

Mr. ISAKSON. I commend the distinguished Senator from New Hampshire, the chairman of the Committee on the Budget, on the offering of this amendment for the emergency supplemental. This is so important.

We went through 2 weeks of debate prior to the Easter recess where we ended up doing nothing on the issue of immigration and illegal immigration. We did nothing because there was a fear in this country and there is a fear in this Senate that no matter what we do, if we do not fix the borders first, secure the borders first, there is no way whatever to have true, meaningful immigration reform legislation.

The distinguished chairman of the Committee on the Budget, in his original budget document and now again in this amendment, is proposing exactly what the United States of America must do; that is, appropriate the money to fulfill the promises to secure the border so we can gain control of our immigration system and return to a system where people come to this country to work and to enjoy new lives and prosperity legally, where our borders are secure and our Nation is more secure.

I rise for a moment to point out that this amendment in and of itself to this emergency supplemental is, without question, the most significant component to the issue of illegal immigration and gaining control of our borders. I urge all of my colleagues in this Senate, when this amendment comes to a vote, to vote in favor of it. Only through appropriating the money and actually spending the money to make the investment, to improve the eyes in the skies in terms of unmanned aerial vehicles, to improve the boots on the ground, to more Border Patrol officers—the only way to do it is not with promises of authorizations but with the commitment of appropriations.

I commend the Senator from New Hampshire. I thank the Chair for the time. I urge all Senators to vote in favor of this amendment to secure the borders of the United States of America.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the committee amendment be agreed to, that the bill as thus amended be considered as original text for the purpose of further amendment, and that no points of order be waived by this request.

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

(The committee amendment in the nature if a substitute was agreed to.)

Mr. COCHRAN. Mr. President, I appreciate the cooperation of Senators in laying this groundwork for the further consideration and debate of this bill. I particularly appreciate the comments of the Senator from New Hampshire with respect to the situation regarding funding for border security activities, programs, and equipment necessary to help guarantee the strict enforcement of our laws and to ensure integrity of our borders. His suggestion in this amendment is going to result in a major step forward in achieving our goals.

His comments about our efforts when the Department of Homeland Security was initially established and funding for various activities under the jurisdiction of that Department are appreciated very much, but his leadership is demonstrating we can do a better job. He has made another suggestion in the offering of this amendment that carries out that past practice of identifying ways to use funds wisely, make investments in equipment, personnel, and strategies that will lead to a higher level of security for our country.

The offset identified in the bill for adding this money takes it away from

certain Defense appropriations activities. We have consulted with the chairman of that subcommittee, the distinguished Senator from Alaska, Mr. STEVENS, and this offset can be accommodated, I have been advised, and without doing detriment to any military activities funded in this bill.

Unless there is a Senator who wishes to be heard in opposition or requesting a vote on this amendment, I recommend this amendment be accepted.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I have no objections to the amendment of the Senator from New Hampshire and would be fully supportive of it.

I will speak on another issue for about 5 minutes. I thank my colleague from West Virginia, our great leader, for ceding the time.

From one end of New York to the other, all the talk this past week has been on the high price of gasoline, the high price of oil, the high price of all petroleum products. Oil prices went up to $75 a barrel. Gasoline went up 40 cents in 1 month.

This is not only burning a hole in people's wallets and pocketbooks, but it is also putting a real crimp in our economy. In upstate New York, in New York City, we depend on tourism. Fewer people will drive, fewer people will come. People are making decisions not to buy that extra outfit of clothes for youngsters, not to take the trip to see the grandkids because of the high price of gas and oil.

Yet, today, when the President spoke about this issue for the first time, we did not hear what we needed to hear. The President seems to think that gouging is a problem of the corner gas station. It is not. It is a problem of the dwindling number of large behemoth oil companies. We did not hear from the President the five words we need to hear: Get tough with big oil.

That is the problem. Of course we have a supply and demand problem. We know that. The big oil companies, faced with no competition, take advantage of every twist and turn. Katrina occurs and the price naturally would have gone up, but it goes up higher, stays high longer, and spreads to more areas than need be because the oil companies are taking advantage.

Now we have had the changeover to summer fuels. Again, that cuts down production for a short period of time. But the big oil companies take advantage and keep the price high for too long. Over the last 5 years, never has production been as low as it has been today and stayed so low.

The bottom line is simple. We let—and this happened under Republican and Democratic Presidents—we let 20 oil companies become only 5. When there are so few, there is no competition. And who pays the price? The American consumer and the American economy.

The record profits are not an accident or part of free market capitalism. When you have so few energy producers, you are going to be taken advantage of. That is what the average citizen has found.

To ask for an FTC investigation, as the President did, about gouging, without mentioning big oil, does not make sense because it sure as heck is not the corner gasoline station.

The bottom line is we need to do three things: First, we most definitely need to conserve much more than we have. The fact that China's miles per gallon standards are higher than ours—and China is hardly an environmental country; they are doing it for economic purposes—should make us hang our heads in shame. We need a crash program to find new energy sources.

I, for one, am not averse to finding more fossil fuels while we wait for the new energy source to come online. The amount of money the President has proposed in this budget to do that is paltry.

Finally, we should, for the first time, seriously consider breaking up the big oil companies. As long as they have a stranglehold on us, we are not going to solve this problem. As long as they want to have fossil fuels be the dominant way we power ourselves and keep the prices high as possible and work in cahoots with places such as OPEC, we are not going to solve this problem. When there were 20 competitors, we always faced the fact that 2 or 3 would say I am going to expand market share by keeping the price a little lower. Not anymore. It does not happen.

When you ask, why have things gotten so much worse with oil prices and gasoline prices, part of it is supply and demand, but part of it is we let the antidote to collusion and gouging—good old-fashioned American competition—go by the wayside in the oil industry.

At some point I will be offering an amendment that we do a serious study about whether to and how to break up big oil as was once done about 100 years ago. I don't think there is any other solution that makes sense.

From President Bush, we finally heard some talk. But talk is cheap. The price of gasoline is not. We need serious action on conservation, on new energy sources, and on dealing with big oil if we are going to solve this problem and keep America as strong as possible.

I thank my colleague from West Virginia and yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the very able Senator.

Last month, the Senate began debate on immigration and border security legislation, part of which would authorize a whole host of items intended to secure our borders. The legislation would authorize the hiring of additional Border Patrol agents. The legislation would authorize the hiring of additional immigration enforcement agents and detention officers. The legislation would authorize border surveillance technology and unmanned aerial vehicles.

However, the immigration bill is just an authorization bill. Now, if we are serious about border security, we must approve real dollars—real dollars.

Together with our colleague, Senator LARRY CRAIG, and with the support of my Homeland Security Subcommittee chairman, Senator JUDD GREGG, I led the effort in the Senate last year to appropriate hard dollars to begin to put real teeth into our border security agenda. We did not merely authorize the hiring of more Border Patrol agents; we appropriated hard cash, hard dollars to hire 500 more Border Patrol agents as well as more immigration enforcement agents and detention officers. The administration opposed this effort. But those 500 Border Patrol agents have been hired. They have been trained. They are now deployed on our borders defending our Nation and making us more secure.

As we continue to hire more Border Patrol agents and other immigration enforcement officials, we need to give them the tools they need to do their job. Yes. We need to start paying for those tools now so they will be available as more and more Border Patrol agents and immigration enforcement officials are hired and trained.

The Border Patrol needs new helicopters because the average age of its helicopters is nearly 40 years. The average age of our Customs primary fixed-wing aircraft is 30 years. All of our border enforcement officials, including the newly hired officials, need more vehicles, including all-terrain vehicles, high-endurance vehicles, and more buses to transport and remove illegal aliens. More radios are needed and other communications equipment, especially for those individuals operating in remote desert areas along our border.

Customs and Border Protection has a requirement for 18 unmanned aerial vehicles or UAVs. The immigration bill authorizes more UAVs, but until this morning, we had only one UAV operating on our border.

At 5:49 a.m. this morning, where were you? I was asleep. I bet you were, too. At 5:49 a.m. this morning, that one UAV crashed—get that, now—it crashed in the Arizona desert. Clearly, one UAV system is not adequate.

The amendment that Homeland Security Chairman GREGG is offering this afternoon provides $1.9 billion—$1.9 billion—in real dollars for our aging border security infrastructure. As ranking member on the Homeland Security Subcommittee, I support that funding. It provides $120 million for fencing and tactical border infrastructure, including an additional $20 million for the fence being constructed in San Diego. It provides—hear me, now—$790 million for new helicopters, fixed-wing aircraft, UAVs, and the facilities to house and maintain them. It provides $60 million for replacement vehicles for our border and immigration personnel. It

provides over $150 million for communications equipment and sensors and cameras and other technology along our border. That ain't all, either. That ain't all. You better believe it. It provides $60 million to expedite the interoperability of the FBI and Homeland Security fingerprint databases so that we can have greater confidence about whom we allow to enter this country.

We know that as security at our land borders is tightened, illegal aliens, drug runners, and, yes, terrorists also—terrorists—will turn to our waterways for entry into this country, our country.

According to Coast Guard statistics, the flow of illegal aliens through our waterways has more than doubled in the last 10 years, and it will continue to grow. It will continue to grow. The administration has concluded that international migration ''will be one of the most important factors affecting maritime security through the next 10 years'' and that ''a significant commitment of security resources'' is necessary. Yet—could you believe it—the President did not request any supplemental money for the Coast Guard to repair, replace, or enhance its ships, its planes, and its helicopters.

The Coast Guard secures our waterways, but the Coast Guard is doing it with ships and planes that, in some cases, date back to World War II. Man, that is a long time. How about that—doing it with ships and planes that, in some cases, date back to World War II? This has resulted in a huge gap between operational commitments and operational capabilities. For instance, total Coast Guard patrol boat hours were only 75,000 in 2004, compared to 100,000 hours in 1998. Under the administration's deepwater modernization plan, this gap will not be closed until 2012. Now, I wonder if I will be around that long. This gap will not be closed until 2012, at the earliest. How about that? Do you believe it? How about that?

Current Coast Guard maritime patrol airplanes can only provide half of the hours required to meet operational commitments. At the same time, funding constraints require maintenance on Coast Guard ships and planes to be deferred more and more every year. You may not be around that long, either. No. Who knows? From fiscal years 2001 to 2005, the Coast Guard deferred over $121 million in maintenance needed for its surface fleet and $159 million in maintenance needed for its air assets.

The administration has ignored this problem—ignored this problem—for too long. Recent budget requests by this administration have allowed this crisis to fester, and fester. The pending amendment provides $600 million to accelerate the Coast Guard's program to modernize its fleet of ships and planes.

This funding will provide for seven additional maritime patrol airplanes and three new patrol boats. The funding in the amendment would also allow the Coast Guard to retrofit and arm its helicopters, refurbish existing medium endurance ships, accelerate the production of new medium endurance ships, and provide the technology necessary for commanders to speak to each other through a common operating environment. This level of funding is consistent with the recently filed Coast Guard authorization conference report.

The President often says that we live in a post-9/11 world. Frankly, the Coast Guard's fleet of ships and planes is fit for the last century. To properly secure the maritime domain, the Coast Guard needs a fleet fit for this century—the here and now, this century.

If we are truly serious—and I hope we are—about securing our borders and not just engaging in rhetoric and hot air, then we will put real dollars—real dollars—where the rubber hits the road.

So, Mr. President, I urge my colleagues to support the Gregg amendment, the amendment offered by Senator JUDD GREGG, of which I am a principal cosponsor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I know of no further Senators seeking recognition on this amendment. I, too, support it.

I am advised that the leader wants to speak on the amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HARKIN. Mr. President, I understand we are on the Gregg amendment now, and that will proceed under some fashion or form. I wish to take a few minutes to talk about an amendment I will offer when this amendment is dispensed with one way or the other.

I wish to announce my intention to offer an amendment to this supplemental bill to ensure that Federal funding appropriated for workforce investment is used to help people in genuine need and not to pay exorbitant salaries or bonuses to program executives.

The amendment I will be offering would address a gross abuse of Federal funds that was exposed recently in a State audit of the Central Iowa Employment and Training Consortium, or CIETC. The audit showed that three executives of this program were paid nearly $1.8 million over the past 2½ years. The chief executive officer alone received almost $800,000 in salary and bonuses over that period of time, which is nearly 8 times the salary paid to the Governor of Iowa.

Obviously, these levels of compensation are exorbitant and outrageous. What happened at CIETC is a scandalous abuse of the public funds and of the public trust. It is also scandalous that these inflated salaries, technically speaking, may not be illegal under current law. The law states that executives in workforce enactment programs will be paid a ''reasonable'' salary. Unfortunately, that is a very elastic definition. There will always be a few bad apples, people who will stretch that definition in ways that are clearly unethical and wrong, even if not technically illegal.

On that score, CIETC is the only abuse that has come to light so far, to my knowledge. It is sort of the one bad apple in a program with an otherwise outstanding track record. Even one case of abuse is one too many. My amendment will ensure that there is no repetition of this very unfortunate incident.

To that end, my amendment encourages States to set maximum compensation levels for individuals employed by programs funded under the Workforce Investment Act, taking into account factors such as the State's cost of living, compensation levels for comparable State or local government employees, and the size of a State's job training program. In cases where a State fails to set a maximum salary, my amendment would impose a nationwide maximum equal to the Federal executive level of salary.

After the State audit of the Central Iowa Employment and Training Consortium was released on March 31, I urged the U.S. Department of Labor inspector general to launch a thorough investigation, and that investigation is now in progress. In addition, Iowa's State government is conducting a parallel investigation. I asked both the Federal and State investigators to report back to me with recommendations for preventing a repeat of the abuse that has occurred at CIETC. However, we can and should act now to fix the glaring problem here, which is the absence of any fixed ceiling on executive compensation in Workforce Investment Act programs.

Again, my preference, and the way the amendment is structured, would be for each State to set their compensation level. In cases where States fail to act, my amendment would set a maximum executive salary level across the Nation at executive level 2, which would be $165,000 a year maximum; that is salary and bonuses, total compensation. As I said, that is equivalent to the Federal level 2 compensation.

Now, why did we pick that? Because that is the same maximum level that was set a few years ago for salaries in the Head Start Program when we uncovered a similar kind of abuse that was going on in the Head Start Program. So that is the level there. There had been several isolated incidents of exorbitant salaries in the Head Start Program and they have stopped, thanks to that salary cap.

Clearly, $165,000 a year is a very substantial salary, but it might be appropriate in certain circumstances; for example, in the case of an executive who

is administering a very large Workforce Investment Act program, or one that is located in a high-cost city or State.

We need to establish executive compensation caps in the WIA-funded programs. As a ranking member of the Senate subcommittee that funds job training, I find it hard to get that funding. I fight hard because I know that quality job training provides a ladder or ramp of opportunity to many thousands of hard-pressed Americans, including individuals with disabilities and people who are laid off due to plant closings.

Workforce Investment Act programs have proved themselves to be enormously effective. They have earned broad bipartisan support.

There are four core programs under title I of the act:

No. 1, assistance to disadvantaged adults, including people with disabilities, to assist them in entering the workforce;

No. 2, assistance to dislocated workers;

No. 3, training and placement services for job seekers; and

No. 4, assistance to low-income youths under the age of 21, including tutoring, dropout prevention, job training, and adult mentoring.

Funding for Workforce Investment Act programs is chronically scarce and inadequate. On the one hand, we want the discretion to pay salaries that will attract talented administrators, and we need to keep in mind local cost of living considerations. But it is unacceptable—it is a betrayal of the public trust—when unethical individuals use scarce WIA funds to pay themselves inflated and totally unjustified salaries and bonuses. Current law creates an opening that makes this kind of abuse possible. But by setting a nationwide compensation cap that would include not only salaries but bonuses, we can prevent future abuse.

That is the purpose of my amendment. I think it is urgently needed. I had a conversation a little bit ago with Senator ENSIGN, who has been working on the Workforce Investment Act reauthorization bill. My staff is working together with his at this time to make sure that what we are trying to do corresponds. Now, you might say maybe we should wait until WIA is reauthorized. I hope it is, but the year is clicking by and we have a lot on our plate. It is a short work year. I am not sure if we are going to get it done. I might add that in the Job Corps Program there is also a compensation cap, and that is a level 1. Head Start was level 2. So we thought for Workforce Investment Act job training programs it ought to be probably at about level 2, maximum. Keep in mind, States can set it lower than that. It is based upon the size of the job and the cost of living factors and other factors. But they cannot go over that. That is what happened in Iowa. Unethical people were paying themselves, in one case, up to $800,000 per annum in salaries and bonuses, which is 8 times what the Governor makes.

So I intend to offer this amendment at some point later on when the Gregg amendment is disposed of in some fashion or another. I hope I can have the support of my colleagues in adopting this salary cap on Workforce Investment Act programs.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, we are on the supplemental appropriations bill, I understand. I heard the presentations by the chairman of the Appropriations Committee and the ranking member earlier today. I would be remiss if I didn't first compliment both of them. This is not an easy job. It is difficult putting together legislation such as this and bringing it to the floor of the Senate. I compliment Senator COCHRAN and Senator BYRD for their diligent work.

I know that others will speak at some length about various pieces of this bill. I know the bill itself is controversial. I know there will be amendments perhaps to strip provisions that are in the bill. I wish to speak specifically about legislation that I added, along with Senator BURNS and others on the Appropriations Committee, dealing with agricultural disasters. I wish to do that because I think there is a feeling by some that somehow this extra money that is a part of this legislation to try to respond to agricultural disasters or disasters faced by family farmers is something called pork, as some would put it, or is unnecessary, is extraneous, is unworthy. I wish to talk about that.

There is not a lot of talk on the floor of the Senate about family farming because I think, with the exception of perhaps one person here, we are not farmers. We don't get up in the morning on the farm. We don't milk cows in the morning. We don't check the cattle at night. We are Senators. We work here on the floor of the Senate. We give speeches, go to committee hearings, and travel back and forth on weekends, but we don't run a family farm.

Family farmers in this country by their very nature are risk takers. They don't know what is ahead. They are going to plant a seed and hope it grows. They plant a seed in the spring, and they hope that somehow they will harvest in the fall. They hope that after they plant that seed, they will get enough rain but, they hope, not too much rain. They hope they don't face a drought. If they get just enough rain, then they get a crop. Then they hope when they get the crop that between when the rains come and the crops are ready to harvest, they don't have bugs, they don't have grasshoppers, they don't have disease on that crop. And then if, by chance, they are able to harvest that grain, they truck it to the elevator, and they are told by the elevator: This is the price. This is what the world price is. This is what the market price is. This is what the posted price is. If it is not what you expect, if it is below what it cost you to produce it, that is tough luck, that is the price.

So farmers take all those risks. Because they are substantial, we have decided for many decades in this country to build a bridge across those price valleys, to say to farmers: When times get tough, you are not alone. You are living out there on the land, under the yard light all by yourself taking those risks, and we want you to know when times get tough, this country wants to keep farmers on the farm. That is why we have a farm program.

The farm program used to have a disaster title. It doesn't any longer. I wish it did. I think it should, but it doesn't. We have had to do disaster programs now on an ad hoc basis. So we added a disaster provision to this supplemental appropriations bill. We do that because we have had weather-related disasters all around the country. In the Gulf Coast we had a devastating disaster, perhaps the worst natural disaster in the history of this country, called Hurricane Katrina. I can't pretend to know what it did to the Gulf of Mexico, to the people who live in the Gulf Coast region, in Louisiana and Mississippi and elsewhere. But my heart goes out to them, and I have wanted to be a part of everything that is done here in the Congress to extend our hand to them to say: You are not alone. This country wants to help. This country insists on helping in a time of need.

Family farmers in the gulf, I understand, got hit hard as well and, in many cases, lost their entire crops, just gone. We should and we will, and with this legislation, we did provide help to them. With this legislation, we say: If you planted a crop or if you couldn't plant a crop and your crop was destroyed, we are going to help you with a disaster plan. Our point was that there are farmers in the gulf who desperately need help, and there are farmers in other parts of the country who need help as well.

I want to show you a couple of pictures. This is of a little town called Souris, ND. This town called Souris, ND, as you can see, was inundated with water in June of 2005, with torrential rains that were just devastating, torrential rains that came to this area and several other areas of my State. The result was over 1 million acres—over 1 million acres—couldn't even be planted. Those farmers who had those acres, they didn't have a crop. They had a building and a family and a yard light, but they had nothing to harvest because they couldn't get anything

planted. Another nearly 1 million acres was planted and then washed away by these torrential rains.

Another scene in Souris, ND. I could show many pictures of exactly the same circumstance in parts of my State that suffered devastating flooding. These farmers need help. Other farmers in States such as Illinois, for example, where they had the third driest year last year since 1895, are facing a drought. They too need help.

Last December, I offered a disaster amendment to the Defense Appropriations bill when we were in conference. The Senate conferees accepted it, and the House conferees rejected it. That is what brought us to this position on this emergency supplemental of offering another disaster bill. The support in bringing that package to the floor of the Senate by Senator COCHRAN, who has always been a very strong advocate and supporter of family farming and American agriculture, and the support by Senator BYRD and others when we offered this in the Senate Appropriations Committee, was very heartening. It was approved unanimously in the Appropriations Committee. So it now exists on the floor of the Senate. It is, in many cases, the distance between being able to continue farming and being forced off the land for a good many families in this country.

We have a fellow in North Dakota named Rodney Nelson who writes. He is a farmer and a rancher in Elmont, ND. He wrote a question once. He wrote a question on a piece of paper, and then asked this. He said: What is it worth?

He was talking about farming. He said: What is it worth? What is it worth for a kid to know how to weld a seam? What is it worth for a kid to know how to build a lean-to? What is it worth for a kid to know how to drive a tractor, grease a combine? What is it worth for a kid to know how to butcher a hog? What is it worth for a kid to know all of these things? What is it worth for a kid to know how to teach a calf to suck milk from a pail? What is that worth? What is it worth to have a kid know how to plum a door? What is that worth?

We know what it was worth in the Second World War. This country sent millions of young men, particularly off America's farms, all around the world to fight. They could do anything. They could fix machinery, they could overhaul an engine, they could do anything. They knew how to weld, they knew how to build, they could do anything. There is only one university in America where they teach that, and that is the American family farm. It is the only place where you get that education. And the question is, What is it worth? What is it worth to a country?

That is the question I ask when we offer legislation to say that when family farmers get hit by torrential rains or drought, when family farmers get hit by devastating occurrences of weather that destroy their crops, destroy their ability to make a living, the question then is, Will Congress want to help? Should Congress help?

The answer, in my judgment, is yes. It is important not just for those families living out on the farm; it is important for the character of this country.

There was a wonderful author who wrote some remarkable books about small towns and family farms, and he talked about the seedbed of family values in America, in American history coming from family farms. And that seedbed of family values that comes from family farms and rolls on to small towns and big cities and nurtures and refreshes the character of this country is something that is very important to that which we call America. That is why the desire that I and my colleagues, Republicans and Democrats alike, have to offer a disaster piece on this emergency supplemental bill is so important. This isn't about words; it is about saying to families who were devastated by weather disasters, who are living out on the farm, far from town, under a yard light, struggling to try to make a living, raising a family, to say to them: We understand what you are facing. You are not alone, and we want to help. That is why this piece is in this legislation.

Again, I compliment the chairman and I compliment the ranking member for their work.

Let me mention one additional piece. A number of my colleagues today have mentioned the energy issue, particularly with respect to the price of gas and oil and the price of fuel. There isn't anybody hurt much more than family farmers with what is happening to the price of energy, and the price of gas and diesel, especially. Family farmers are heavy users of fuel. It is the way they plant their crop in the spring, and it is the way they take their crop out in the fall, with the heavy use of fuel and the heavy use of nitrogen and fertilizer. So there is nobody that is hurt more by what is happening with the price of gas and oil than family farmers. It is devastating to them.

This legislation also includes a partial offset with respect to a percent of direct payment that farmers receive as a result of what is happening on energy prices. But with respect to that, I want to make another point. We hear these days that what is happening with respect to the price of gas and oil is the function of the market. There is no market price that is a fair market price for oil. First, you have OPEC ministers that sit around a table from OPEC countries and talk about how much we should produce and how much we expect to get for it. That is No. 1. That is called a cartel; that is not a free market.

Second, we have oil companies. They used to have one name, now two names, and sometimes three names. Why? Because they all got married, decided to merge; big, blockbuster mega mergers, bigger and stronger, with more raw muscle in the marketplace.

Third is the futures market which is supposed to be a market that establishes pricing strategies, but the fact is it has become an orgy of speculation. It is an unbelievable orgy of speculation.

So you have three things: The OPEC ministers, the bigger oil companies, bigger by merger, and then a massive amount of speculation on the futures market. Then we are told: Here is the price of oil, it is $73. If you don't like it, tough luck. If you don't like it, you do not understand; it is the free market. That is total baloney. There is no free market here. All the pain is on the side of the consumers who pay 50 bucks or 60 bucks for a tank of gas, and it is like hooking a hose right up to the pocketbook of the American people to suck money right into the treasury of Exxon. That is what this is about. I am not anti-oil. We produce oil in our State. We also are heavy users of energy in our State. But what I am feeling strongly about is not about profits, it is about profiteering.

When companies decide they are going to ride this price in a way that injures the American people—and I believe what is happening today does do injury to the American people and is unfair and is not part of the so-called capitalistic market system—then I think Congress has a responsibility to act.

The President said this morning the Federal Trade Commission should do an investigation. I and a couple of my colleagues wrote a piece of legislation last year that became law as part of the Energy bill that requires the Federal Trade Commission to do the investigation. If the President had called the FTC, he would have understood that they have been doing an investigation and will report sometime toward the end of May.

I have to confess, however, that I believe the Federal Trade Commission has been dead largely from the neck up for some long while. I don't expect great results at the end of May, but, nonetheless, they are required and will be reporting the results of an investigation sometime in mid to late May.

I believe there should be investigations. I believe the issue of market manipulation is real. When you have market manipulation or potential price gouging, the way the system works in this country, there ought to be a mechanism by which you investigate it and take action if necessary. But I believe in the meantime, when the price of oil goes where it has gone, and where, with the historical circumstance that in 2004, at $40 a barrel average price, the oil industry had the highest profits in their history; and now with the price of oil at $65 and $70 and $72 a barrel, we have profits far in excess of that, despite the fact that the oil companies haven't done anything to generate those profits. They have just come. I believe those profits above the $40-a-barrel pricetag is a windfall.

The oil companies say: Well, we need all those profits because we are sinking

that back into the ground to look for more energy. If they were doing that, I wouldn't be here talking. But that is not what they are doing. They are buying back their own stock. They are drilling for oil on Wall Street. And, oh, by the way, there is no oil on Wall Street. That doesn't come from me, that comes from Business Week: Drilling for oil on Wall Street, and that is all about using the capital on Wall Street to become bigger through mergers, buying back stock, drilling for oil on Wall Street, or paying a retired CEO, according to press reports, up to $400 million for a retirement package. That is not a golden parachute, that is a platinum parachute, one that I have not heard of before.

Does that anger the American people? It sure does, and they have a right to be angry. Something is wrong with this system.

My colleague, Senator DODD, and I offered an amendment last year that would have imposed a windfall profits rebate on profits above $40 a barrel at which price the oil companies have the largest profits in their entire history, and then we said this: But if those profits are used to sink back into the ground for additional exploration or to build refineries above ground, if those profits are invested back to expand the supply of energy which will inevitably, hopefully, reduce the price of energy, the price of gasoline, then they will not be subject to the windfall rebate. If the oil companies, in short, are doing what they say they are doing, then they will not be affected. If they are not, if they are buying back their stock and drilling for oil on Wall Street and paying executives $400 million for a retirement package, then they get hit with a windfall profits rebate. All of the money will be sent back to the American consumer as a rebate. All of it.

It is not a revenue-raising measure. It is not designed for the purpose of raising money for the Government. It is designed for the purpose of righting a wrong: Taking the windfall profits and sending it back to the consumers as rebates from whence it came.

We expect to offer that again. We didn't succeed last fall. I suppose someone could make the point that you didn't succeed because it wasn't a very good idea. I would disagree strongly. I think it is the right idea. My hope would be that when we offer it again on this supplemental that we will be successful. One way or another, I think the American people want this Congress and this President to stand for their interests.

I know we have larger energy problems, longer term energy problems; I understand all that. We have price-gouging legislation, and we have all kinds of issues that we need to deal with. A good start would have been in early 2001 with the meetings for which we still have not received public information. Notwithstanding that, we are where we are today and we need to find our way out of this. The point I was trying to make is that no industry, no group of people are hurt more, in my judgment, than family farmers. All Americans are facing pretty stiff penalties with these prices, but family farmers are devastated by these gas and diesel prices. For that reason, I think it is ever more important for us to support the disaster package that has come as a part of this emergency legislation brought to the floor of the Senate today.

Again, I will speak at another time on the floor about a couple of other pieces of this legislation. I am enormously proud to be a part of the Appropriations Committee. I think we have a great committee. We work well together. It is a bipartisan committee. I think the legislation we have brought to the floor, while not perfect, and while we might alter it in one way or another, I don't know, but I think given the President's request, this Senate is responding.

Let me make this final point. One of the responses with this legislation is to replenish the accounts in the Department of Defense with respect to what we are asking our men and women to do in the service of our country. I think each time we have done that, the chairman and ranking member and every member of the Appropriations Committee has indicated that when we ask men and women to wear America's uniform and go abroad and serve in harm's way, we are going to do everything conceivable, everything possible to fund that which is necessary for them to do their job. That is at least a part, a significant part, of this legislation as well.

I yield the floor.

Mr. HARKIN. Mr. President, with the concurrence and approval of my chairman of the Appropriations Committee, I ask unanimous consent to set the pending amendment aside.

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

AMENDMENT NO. 3600

Mr. HARKIN. Mr. President, I send an amendment to the desk on behalf of myself and Senator GRASSLEY.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows.

The Senator from Iowa [Mr. HARKIN], for himself and Mr. GRASSLEY, proposes an amendment numbered 3600.

Mr. HARKIN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To limit the compensation of employees funded through the Employment and Training Administration)

At the end of page 248, line 22, insert the following:

SEC. . None of the funds appropriated in Public Law 109–149 under the heading Employment and Training Administration shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II. Where Employment and Training Administration funds appropriated in Public Law 109–149 are used for compensation of an individual, the total federal funding that may go to compensation of that individual shall not exceed a rate in excess of Executive Level II. States may establish a lower limit of total compensation for those receiving compensation from Employment and Training Administration funding employed in that state, taking into account factors including the relative cost-of-living in the state, the compensation levels for comparable state or local government employees, and the size of the organizations that administer federal programs involved including Employment and Training Administration programs.

Mr. HARKIN. Mr. President, this is the amendment about which I spoke a little while ago on the Senate floor regarding setting a maximum national cap on salaries and bonuses for people employed in the Workforce Investment Act programs across the United States. As I said earlier, States can set lower, but this would at least set a maximum which anyone could be paid in salaries and bonuses in any of those programs.

I thank the chairman of the committee for being willing to let me set aside the amendment and offer this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

ENERGY

Ms. CANTWELL. Mr. President, I come to the floor and join my colleagues on both sides of the aisle who have been here for the better part of today, discussing the President's comments this morning about energy legislation and about price gouging and about the Department of Justice and Federal Trade Commission investigation of energy prices.

Many of my colleagues here in this body know how important this is, and how important it is that we move forward. Yet I think we have actually been investigating for months. The fact remains that we need to do a more aggressive job in looking at the issue of price gouging. Fifty-seven Senators here supported legislation in November of last year, giving the tools to the FTC, the attorneys general, and to individuals who are responsible at the Department of Justice to investigate price gouging. It is that same legislation that I think would help us in moving forward today, giving consumers confidence as they head into the summer driving season that we are doing everything in our power to get serious about a Federal price gouging ban and that we are going to make it a Federal crime.

This legislation would create a new ban on price gouging during national energy emergencies, giving the President authority to declare that emergency. It would give the Federal Trade Commission and State AGs and the Department of Justice the ability to levy civil and criminal penalties for proven price gouging up to $3 million and 5 years in jail. And, on an ongoing basis,

it would put in place a new ban on market manipulation and giving false information to the FTC or the Department of Justice.

If you think about it, it is similar to some of the requirements for those involved with the Securities and Exchange Commission and the Commodity Futures Trading Commission, and the standards they are required to meet. This bill also gives the FTC the authority to levy fines up to $1 million for each violation of market manipulation, that is the market manipulation and false information prohibitions in this legislation.

Some people would say $1 million for price gouging doesn't sound like a lot of penalties, but this is $1 million for each violation of the market manipulation ban. If you think about it, in the context of the market manipulation that is being discussed right now in the Enron trials, on an ongoing basis there were probably hundreds of instances of market manipulation related to Enron.

My colleagues and I offered this price gouging legislation on the floor and it received 57 votes, so I think it is time the Senate comes together on a very aggressive approach to tell consumers that we will protect them this summer. The reason I say it is imperative we do this now is because for the last 5 years in the West we have suffered through the aftershocks of the western energy crisis. That is, we have suffered the consequences in my State of the market manipulation that Enron engaged in. And five years later, really, we have gotten very little relief from Federal regulators on that issue.

What happens during periods of dysfunctional markets, where there is a lack of transparency, is that many people are hurt. Businesses are hurt, individual consumers are hurt, even school districts are hurt. We had one school district in Washington state that basically had to pay $2 million in additional energy costs because of Enron and manipulated energy prices, and thereby ended up not hiring teachers or buying books.

All this leads to a simple and inescapable conclusion. And that is, when it comes to energy commodities that power our economy, we have to be very aggressive at protecting consumers. We need to do everything in our power right now at the Federal level to put us on the right course and to fashion legislation that will help protect consumers now.

If you think about the President's request, he is saying the Department of Justice and the FTC should investigate. We do not even have the authorities and remedies in current law that would help in pursuing these cases and bring these individuals or corporations to justice if market manipulation is found. So I encourage my colleagues to move quickly on legislation that would give the Federal government the true tools we need to investigate market manipulation and to pursue remedies on behalf of consumers. Let's not wait several months into the summer season, as consumers are already being hurt at the pump, to come to this conclusion.

Since we have already had 57 Senators, a majority of the Senate, support this legislation, why not pass it out of the Senate and give consumers the confidence that, as they hear the earnings reports from oil companies in which they are making billions in profits, we are not going to give them a pat on the back. Instead, we are going to give a helping hand, to protect American consumers at the pump this summer, as these prices are expected to continue to rise.

UNANIMOUS CONSENT REQUEST—S. 1735

Mr. President, I ask unanimous consent the Commerce Committee be discharged from further consideration of S. 1735 and that the Senate proceed to immediate consideration of that legislation, that the Cantwell amendment which I am sending to the desk be considered and agreed to and the motion to reconsider be laid on the table, that the bill be read three times and passed, the motion to reconsider be laid on the table, without intervening action or debate.

Mr. COCHRAN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. CANTWELL. Mr. President, I hope my colleagues will consider this. This Senator will continue to be vocal on passing Federal legislation to make price gouging a crime. I hope this is legislation that we can take up in the next several days, or at least in the next weeks, so we are giving consumers before the Memorial Day recess the confidence that we have serious teeth in Federal legislation to protect them at the pump.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, by way of explanation, the objection was lodged because we are currently considering a supplemental appropriations bill on the floor of the Senate to appropriate funds to the Department of Defense, Department of State, and assist gulf states in recovery from the devastation cautioned by Hurricanes Rita and Katrina. The request posed by the distinguished Senator would have not only required the Senate to turn immediately to the consideration of the bill she is offering, but that it be considered read, the debate concluded, no amendments be in order, and that it be passed and the motion to reconsider be laid upon the table.

It is the judgment of the managers of the bill that the thing to do now in the Senate is to complete action on this supplemental appropriations bill. Over $100 billion is being requested, approved by the Senate Appropriations Committee, to fund these needed activities, many of which are designed to protect our Nation's security. So under those circumstances I felt compelled to object.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President, I will comment generally on the issue before the Senate, the issue of supplemental emergency spending.

Obviously, these last number of years we have had some emergency activities. Whether they be the war on terror or Katrina, they are unusual expenditures. From time to time, everyone experiences that, whether in your personal life or in business. After unusual expenditures, we have to make some effort to make up for that special spending so we can get back within our budget, we can get back to holding down the deficit to do something about the financial situation caused by the unusual expenditures. That is tough. Nevertheless, it seems to me that is a principle which is very important.

I will react a little bit to what seems to be the case in the Senate. We are talking about emergency spending. The bill we are debating today is expected to be about emergency spending. It is important we give a little thought to what that means and not be inclined to use this opportunity to make expenditures that would be very hard to entitle ''emergency spending.''

By definition, emergency spending is a supplement that breaks the caps and authorizes spending we did not account for or do not account for in the budget. Some expenditures are hard to justify. We have the ''emergency'' regarding the war on terror; however, we have been in this for 4 years. We have known about it for some time. It did not happen instantly. Hurricane recovery ended almost 5 months ago. It is a little of a stretch to say these are emergencies we did not know about. We did know about them, and we passed our budget resolution without including them. In that sense, there was no reason to exclude them from the regular budget process.

I understand that—hopefully—these are temporary expenditures. I will concede that a supplemental measure may be a more appropriate way to add the funds to the baseline budget. That said, the bill that resulted from emergency requests is then used to go beyond that scope, in some instances. Instead of narrowly controlling spending, this has become an overall opportunity for projects that have very little, if anything, to do with hurricane recovery or the war on terror but instead is used for a number of other items.

Mr. President, $92.4 billion in additional spending was requested. We are now considering a bill of $106 billion. That is a substantial increase. That is a substantial excess of what could be

termed ''emergency spending.'' We ought to give it some consideration.

The original request was far from pocket change, of course. It was a very large request in the beginning. Yet we apparently felt compelled to add significant new spending regardless of the size of that. Almost all spending can have an argument made for it. There is an endless need. We have to follow a procedure that puts some limits on what we do.

I don't think there is any Member who does not believe that spending has gotten a bit out of control. If we look at the percentage of spending in our budgets over the last several years, it has gone up. There are many factors, including the consideration of the role of the Federal Government with respect to the State government and local government. Do we just continue to spend as if there is no end? I think not. Certainly, when we take a look at the deficit we have created, it has to be resolved.

As I said, I am sure everything included involves a need of some kind. However, we have to set priorities. It seems to me we have a responsibility to the taxpayers to try to reconcile these unusual expenses we have had over the last several years and deal with those expenses so we get back to where we are with the budget, get back to where we are with a programmed movement toward reducing the deficit.

I cannot think of anything that is more important than to be fiscally responsible for what we are doing. There is no end to requests for spending. I understand there are needs out there. However, I have come to the point where we have to take a look at where we are, what we are doing, what our constraints are, what they should be, and begin to exercise a little more constraint and responsibility. I am very uncomfortable moving entirely over to emergency spending on these big items and then coming up with the request for emergency spending and adding another $15 billion, or whatever the amount is, on top of that and putting it out there to deal with.

I hope we do have discussions on these items. Quite frankly, I hope we can return to where we were so we can at least hold it to that amount requested for what is called emergency spending. If needed, we may have to offset something. I may offer an amendment that strikes altogether the spending earmarks that exceed the President's request. We ought to talk about that in terms not only of each individual expenditure, which we always do, but talk about it in terms of the policy, in terms of the overall direction we are taking and how we are going to resolve this issue of increasing spending and deficits. It is time to come to the hitching post and take a look at how we are going to do that. I look forward to the debate that will take place.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BIDEN. Mr. President, as I understand the state of play on the floor—I have been at meetings—it is that I should withhold offering any amendment now. But I am going to speak to an amendment I will be offering during the debate on the emergency supplemental bill.

When we last debated budget matters here on the floor, I came to the floor to indicate I was going to attempt to repeal the $2.6 billion in tax breaks the Energy bill afforded the oil industry. I want to give my colleagues the context in which I raised it then, raise it now, and will raise it again.

It is very easy, I understand—I have been here a long while—to demagog the oil prices and oil industries and big companies, and, when things get tough, to talk about blaming everybody's problems on profits of companies.

Well, the President, today, spoke, as many of us have up to now, on the need to investigate and determine whether there is any gouging going on with energy prices today by American oil companies. But that is not why I am here at this moment.

Senator SPECTER, the chairman of our Judiciary Committee, held a hearing in the Judiciary Committee a couple weeks ago, before the Easter recess, where he summoned, if I am not mistaken, the CEOs of the six largest oil companies. It may have been only four oil companies and one gas company and one energy company. But I think it was six. I will get for the RECORD exactly how many. But he included the chairman of the board of Exxon and other major oil companies. And the issue was whether there was some form of price fixing or gouging going on.

It came my turn to question. There had been a good deal of discussion about how much money in annual profits and quarterly profits companies were making. At that time, it was reported that ExxonMobil reported the highest annual profits, $36 billion, of any corporation in American history. That was not a surprise in the sense that they have had a great windfall with oil prices.

We were at our conference lunch today and someone said: Oil is going to go to $4 a gallon. And Senator BOXER, sitting next to me, said: It's already at $4 a gallon in my hometown in California.

Well, it is well over $3 a gallon in most of our constituencies, and we are paying that money, in my view, because we lack an energy policy. We lack an energy policy. And the one that has been written has been written basically to benefit big oil and big gas.

Since President Bush took office, oil prices have doubled, with at least a 100-percent increase, and high gas prices, that make us uneasy at the pump, have been very good for major oil companies. They are more flush than they have been anytime in history. Prices went up during Katrina. Six months later, we learned that all three oil companies made record profits of a total of $111 billion.

So why am I on the Senate floor about this? Everybody knows this. I am stating the obvious. When it came my turn to question in the Judiciary Committee, I asked the question of the chairman of the board of Exxon—and Senator SPECTER had sworn all of the witnesses in, so they were testifying under oath. And I said: May I ask you a question, Mr. Chairman—the chairman of Exxon. Then I went down the line to the rest.

I said: Are you aware of the incentives in the Energy bill we passed last year—that I voted against—which provided over $2.6 billion in incentives to oil companies in order for them to go out and find, invest, drill, and seek new resources and increase their capability to deliver to the market?

He said: Yes, I'm aware of that.

I said: Do you need that? In light of a $35 billion profit, is there anything you can tell me that would justify us giving the industry, including you, an extra $2.6 billion in incentives?

I might add, so we put this in proportion, for $1.4 billion, we could put portals at every single major port in the world that could detect whether a cargo container had a radioactive device and/or a radiological device or a nuclear device in that cargo container. But it would cost $1.4 billion. We are not doing that right now, in large part because of cost.

So just to put this in perspective, $2.6 billion to incentivize the oil industry now, could be used for a whole lot of other things. I am sure other of my colleagues would suggest there are other ways to use that money, not the least of which would be to reduce the deficit. But there are other ways to do it. So it was not an idle question. We are not just talking about a little bit of money.

I do not think the chairman of ExxonMobil liked my asking the question. But he indicated that, reluctantly, when I reminded him he—well, in fairness, I probably did not have to remind him he was under oath—but he indicated, no, he did not think that his company or the industry needed that incentive in light of their economic circumstance.

Then I went down the line. And I will submit for the RECORD the names of each of the companies represented and the names of each of the CEOs sitting in the witness chair. Every one of them answered the exact same way. They all said: No, we do not need this $2.6 billion. We don't need any incentive in order to be able to proceed to maximize productivity, to maximize discovery, to maximize product now.

And then I went back to the chairman of Exxon—I worked my way down

again—and I said: Would you support an amendment I would offer repealing that incentive? And even more reluctantly, he said: Yes.

I then went and asked that question to all these oil company executives, and they all said: Yes.

So not only do they all acknowledge it is not needed, they all indicated, from the best of my recollection—and, again, I will submit for the RECORD their exact statements—I may be wrong about one or two of them, but not on whether they needed it but whether they supported the repeal. I think they all supported it.

Mr. President, I ask unanimous consent that relevant testimony before the Judiciary Committee be printed in the RECORD.

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

Senator BIDEN. Well, I mean, that is like saying—anyway, I do not have time because of the 5-minute rule here. Let me ask you, do any of you need, to be able to do what you are doing now, $2.8 billion in incentives the Federal Government is having other taxpayers pay for?

Mr. TILLERSON. Well, Senator, we did not lobby for any——

Senator BIDEN. I did not say you did. I am just asking, do you need it?

Mr. TILLERSON. No.

Senator BIDEN. Because you all point out we have to find alternative energy. It seems to me we should take the $2.8 billion that you all are getting, and we should put it into encouraging alternative energy. We should go out and do—right? What do you think?

Mr. MULVA. Senator, most of those incentives are directed towards energy in total, which is not necessarily the oil and gas business.

Senator BIDEN. Oh, it is mostly you guys.

Mr. MULVA. And second, it goes to independent producers, which are primarily the bedrock of most of our——

Senator BIDEN. But your company will not be upset if we take those away, right?

Mr. MULVA. Correct.

Senator BIDEN. None of you will object to us taking away those $2.8 billion of incentives as they apply to you, is that right?

I note for the record, everyone is saying okay.

Mr. KLESSE. Senator, excuse me.

Senator BIDEN. Do it quickly, I only have 24 seconds.

Mr. KLESSE. Okay. Valero, we were interested in the incentives to expand refining capacity. That's our business, and we were interested in it.

Senator BIDEN. Do you still need it?

Mr. KLESSE. Do we need it?

Senator BIDEN. Do you need them to expand?

Mr. KLESSE. No.

Senator BIDEN. Good, okay, that is all I need. So they are all for my bill. I want the record to show no one thought it would be any problem withdrawing it for all of them. Even though I only have 2 seconds left, I yield.

Mr. BIDEN. I have a simple proposition I am going to present to the floor. Although on a supplemental we cannot change tax policy—we all know the blue slip rule, and to use the jargon my friend, the chairman of the committee, understands better than anybody here, I cannot, we cannot, legislate tax policy on this bill that does not originate in the House, and so on—what I do want to do is, I want to get the Senate on record with a sense of the Senate that the Senate Finance Committee report back within 90 days a piece of legislation repealing—repealing—this $2.6 billion in incentives provided to the oil companies.

Now, the fact is, there are going to be some on this floor—and I am prepared to listen to the argument because when I raised this before, some argued: Well, smaller companies, companies producing less than 500,000 barrels a year maybe need this incentive, that they may need this incentive to maximize their capability of producing oil. I do not think that is accurate, but I am prepared to listen to that. I am prepared to listen to that.

But for the time being, I want to put my colleagues on notice that the last group in the world that needs a tax break now is the oil companies—the absolute last—not because they are bad guys, not because of anything else. I do not even know if they asked for it.

I often say to my friends on this side of the aisle that sometimes folks on my side make a mistake. They don't realize that rich folks are just as patriotic as poor folks. When you are handed windfalls, even poor folks would not turn their nose up at them. I don't know whether the oil companies insisted on this being in the Energy bill or not, but I know they think it is not needed. I do know they say they would support its repeal. So if there is anything—to use the phrase of a former head of the Intelligence Committee—that has been a slam dunk in my 33 years as a U.S. Senator, this should be it. We can reallocate $2.6 billion to needed, worthwhile initiatives and/or reduction of the national debt or deficit, and we can do it with the very recipients of that $2.6 billion saying they don't need it, they don't want it, and they support us taking it away.

So I cannot think of anything at all that can justify us keeping in the law a tax break for a group of folks who do not need a tax break at all. The American people need a break from these incredibly high prices. It seems to me that this is nonpartisan, and it is a no-brainer.

In a speech today, the President finally stated that these companies don't need these tax breaks. Senator WYDEN has a provision currently in conference that would accomplish some of this. Senators FEINSTEIN and SUNUNU have tried to remove some unnecessary tax breaks for these companies as well, which are already rolling in profits. Numerous groups have agreed, from the League of Conservation Voters, National Environmental Trust, Public Citizens, Taxpayers for Common Sense, and the oil companies—they all agree these incentives are not needed.

We are not talking about $100,000 or $500,000 or a half billion dollars; we are talking about $2.6 billion. You can do an awful lot with $2.6 billion. So I think we should take the first step in taking control of our national energy policy and show the oil companies that we are listening. They say they don't need it. They say they would support it being repealed. Let's not let them down. Let's, for one time, vote on something that everybody, including the recipients, seems to be in agreement with—everybody from the President, to the Senator from Delaware, to the chairman of the board of ExxonMobil, to the National Environmental Trust.

I will withhold doing it now, but I tell the chairman that at some point, I will be here to introduce that amendment, which will call for the sense of the Senate that the tax committee, the Senate Finance Committee, the committee of jurisdiction, report back to the Senate within 90 days a repeal of these incentives.

I thank my colleague from Mississippi for listening and the Chair for giving me the floor. Unless somebody else seeks the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 3598

Mr. MENENDEZ. Mr. President, I have an amendment at the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] proposes an amendment numbered 3598.

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

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. MENENDEZ. Mr. President, I rise with a series of colleagues to offer an amendment that provides much needed, immediate relief for America's drivers. My amendment suspends the 18-cent Federal gas tax for 60 days and makes up for the lost revenue by getting rid of unnecessary tax giveaways to oil and gas companies.

In 2005, the oil and gas industry made nearly $140 billion in profits. The five largest oil companies made over $106 billion. ExxonMobil alone made a staggering $36 billion. Put another way, ExxonMobil's profit alone last year is more than the Federal Government spent on unemployment insurance,

more than it spent on medical research, and more than it spent on the Nation's highways. Their CEO just got a $350 million retirement package. That is about $144,000 a day for every day he worked at the company. These record profits and gilded bonuses are occurring while the American people struggle to get to work, to get home, to pick up their kids from school, to take them to a soccer match, or to go to a doctor, all because of record gas prices.

Last year, the big oil companies hiked gas prices and blamed an act of God. But it is crystal clear that the current spike in gas prices is at least partly due to an act of greed—greed that has been enabled and even encouraged by the administration, greed that has been aided by an energy bill that put the oil and gas companies first and the American people second. The energy companies were already enjoying record profits and massive tax breaks when the President signed an energy bill that gave them billions more in taxpayer subsidies, plus additional relief from having to pay royalties—in essence, the Nation's collective patrimony for the oil and gas they produce in our oceans. The last thing the oil companies need is more handouts. The first thing the American people need is more help.

My amendment would give them that help by establishing a 60-day holiday on the Federal gas tax. As we head into the summer driving season and its traditionally higher gas prices, we should not be burdening American consumers with additional taxes. Temporarily suspending the gas tax will provide $100 million a day in relief to America's drivers, America's consumers.

But we cannot starve the highway trust fund with the crucial money needed to fix our Nation's roads. My amendment will repeal three unnecessary tax breaks currently enjoyed by the oil and gas companies, and it will also eliminate royalty relief and other production incentives enacted last year as part of the Energy bill.

With the price of oil as high as it is and unlikely to drop in the foreseeable future, companies don't need more incentive from the Federal Government to do their job.

This amendment, of course, is only a short-term fix. We need a real energy policy that takes real steps toward ending our dependence on oil, not the lipservice the President has given this issue before and gave again this morning.

I listened to what he had to say. The President talks about wanting to end our dependence on foreign oil, but instead of starting a Manhattan-type project to lead us to energy independence, we propose baby steps. The President's budget for fiscal year 2007 barely brought renewable and clean energy research funding back to 2001 levels, and it cut energy efficiency programs by 13 percent. In all the President's spending, there was only 23 percent of what Congress requested in the Energy Policy Act for energy efficiency programs and only 1 percent for renewable energy programs.

The President continues to have the blinders on when it comes to real solutions for our energy problems. He said that consumers should buy more efficient cars, and we agree. But he remains opposed to higher fuel efficiency standards. The most recent CAFE standards will improve light truck mileage by only 2.5 miles per gallon. That is simply not enough. Passenger cars have the same standards they had in 1985, over two decades ago. That is not enough.

The President also continues to expect the oil companies, out of the goodness of their hearts, to spend substantial amounts of money on alternative energy technologies. Some of the more forward-thinking companies are doing that, but most are not. It is the Government's job to invest in these technologies, and the President's budget has shown that he is not serious about doing that.

In short, he suggests and he wants the oil companies and the American consumer to do the things he is unwilling to do.

Last month, I joined Senator BINGAMAN and the Senate Democratic leader and other Democrats in offering an amendment to fully fund energy efficiency and renewable energy programs in the fiscal year 2007 budget. Unfortunately, it was defeated.

Democrats in both Chambers have been at the forefront of proposing real solutions to our energy problems, and we were the first to call for the President to investigate price gouging by oil companies, a call he appears to finally have heeded.

This amendment is another idea that this Congress and our President need to adopt. It is about providing immediate relief to overburdened consumers who cannot afford for us to wait much longer. This morning, the President finally appears to be feeling the pressure families have been feeling at the pump for quite some time.

We heard what he had to say. The difference is that he doesn't make a commitment. He says we should phase out all of those tax benefits we have given the oil companies over the next decade, but he doesn't commit it back to America's consumers. Our amendment does that in the short term to give immediate relief to America's consumers while still maintaining our transportation trust funds, the funds necessary to continue to keep America moving.

That is what this amendment is all about. It is about keeping America moving, about keeping America rolling, and about helping the families of this country in a very significant way.

I think putting $6 billion in the hands and in the pockets of America's consumers is ultimately giving them real relief at a critical time. Obviously, putting that amount of money in their pockets at this time as they try to deal with high gas prices will have a ripple effect in the economy, as is also realized in the money that will be saved by those who bring to market produce which ends up on our tables, and the costs of the transportation of products to market across a wide scale of different consumer needs are going to be affected as well.

We see consistently companies adding a fuel surcharge to the cost to the consumer. So this will have a ripple effect in many different ways, and it is something we have the wherewithal to do and do now and by doing so sending at the same time, I hope, a message to the world marketplace and certainly to OPEC that we are not hostage to them without some options of our own.

Let's show American families that we are serious about addressing today's exorbitant gas prices. Let us adopt this amendment to provide real relief now. I urge my colleagues to join me and adopt this amendment.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. COCHRAN. Mr. President, under rule XVI, I raise a point of order against the amendment. It is legislation on an appropriations bill.

Mr. MENENDEZ addressed the Chair.

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

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I tried to seek recognition to speak to the point of order. I simply wish to say this is consistent with what the President proposed this morning, so I believe we should have a vote on the Senate floor. If we don't have a vote today, we are going to continue to bring this measure before the body and will eventually get a vote.

Mr. President, I ask unanimous consent that notwithstanding the points of order which lie against this amendment, the amendment still be in order.

Mr. COCHRAN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from South Dakota.

Mr. THUNE. Mr. President, there is no bigger issue facing the economy of the United States of America at the current time than the high cost of energy, and it has a ripple effect throughout the entire economy. In my State of South Dakota, we have farmers who are getting ready to go into the fields to plant. Obviously, agriculture is a very energy-intensive industry.

In my State of South Dakota, we rely heavily upon the travel industry. People come to our State to see the Black Hills and Mount Rushmore, so we are a very energy-intensive State. We have

long distances to cover. So when gas prices come up and shoot through $3 a gallon or near that level in my State, it has a profound impact on the economy of our State and on the pocketbooks of all South Dakotans. It is important that this issue be addressed.

We have heard a lot of speechifying on the floor of the Senate today and a lot of news conferences held in front of gasoline pumps across this country, everybody attacking and pointing fingers and playing the blame game as gas prices have steadily crept upward.

I will be the first one in this Chamber to say that if, in fact, the oil companies have profiteered at the expense of hard-working consumers in this country, that they should be prosecuted to the full letter of the law. If there is manipulation, collusion, price fixing, or any other form of anticompetitive behavior for which we have laws in this country, then they need to be held accountable under those laws.

Furthermore, I also happen to believe that if, in fact, they benefit from policies that are put in place, economic policies from which they can benefit, whether that be a tax incentive in the Tax Code today, that they have an accountability to us as Members of Congress to explain why, for example, they can pay out $400 million to a retiring executive or CEO.

It seems to me at least that there are some very hard questions that need to be asked and some very serious answers that need to be given by folks in that industry. They need to be accountable to the American public. As I said before, I believe we need that accountability. I believe we need to look at those policies in place today from which those companies benefit. If, in fact, they are making such enormous profits, then perhaps they don't need the support and the tax incentives that are given to them by the American taxpayers, by Congress. So I am not going to in any way defend what are the practices, I believe, of many of the big oil companies in this country.

Having said that, though, there is also a lot of hand wringing going on and self-righteous politicking going on right now about the high cost of energy and attempts again to cast aspersions, cast blame, try and blame the President, blame the Republicans, and all these efforts that are made by people who would rather have a political issue than they would have a solution.

I have to say it seems to me that at the heart of this very issue is also what I would call a decade of obstructionism. We have tried for many years—I served for three terms as a Member of the House of Representatives—to get legislation through that would allow us to lessen our dependence upon foreign sources of energy, to add to the supplies we have in this country, to allow us to take advantage of the rich resources we have in America. Every time we have tried to do that since I have been here as a member of the majority party in the House of Representatives and now in the U.S. Senate, we have been blocked. We have been rebuffed by the folks on the other side of the aisle. In many cases, those have been tactics employed which haven't reflected the majority in the Senate. There have been steps taken to create a supermajority, a filibuster threshold over which we would have to get in order to get some of these policies put in place.

I go back to 1995 when, at that time, the Republicans had just taken control of the Congress and they passed in the budget that year legislation that would authorize exploration on the North Slope of Alaska. It passed the House and Senate, went to President Clinton's desk, and it was vetoed. We hear this still being debated in the Senate today. We get up and talk about the importance of taking advantage of the resources we have here in the United States of America, including the North Slope of Alaska; we hear the Democrats on the other side get up and say: Well, you can't do that. It could take 10 years for us to get that production on line. Well, it is 10 years later. That was 1995. It is now 2006, and we could have a million more barrels of oil in the pipeline today addressing what is a very serious supply problem in this country, had that bill been signed into law back in 1995.

We have tried repeatedly since that time, a number of times as a Member of the House of Representatives, where we voted. We voted to allow for that development to occur, for that exploration to occur, and perhaps eventually production to occur, and, of course, again it was blocked and stopped.

Most recently in December, in the Senate, before we adjourned for the Christmas holiday, we had a vote on whether we were going to do something to help ourselves in the area of energy independence and to develop that rich resource we have, somewhere between 6 billion and 16 billion barrels of oil on the North Slope of Alaska, or about a million barrels a day. We get about a million and a half barrels a day from Saudi Arabia. Can you imagine how it would lessen the supply problem if we were able to bring that energy on line in this country? Yet again it was filibustered. We had 57, 58 votes in the Senate—a clear majority for doing something about our supply problem. Yet the other side again blocked and now wants to blame, instead of doing what we ought to have been doing all along, and that is working in a bipartisan way to address what is a very serious crisis in America.

I remember when I was growing up back in the 1970s, and people who were around at that time also remember the gas lines, remember the talk at the time about we are way too dependent upon foreign energy; we have to do something to lessen our dependence on foreign sources of energy. At that time, we were 50 to 55 percent dependent upon foreign sources of energy. Here we are some 30 years later, and 60 percent of our supply comes from outside the United States. We have had opportunities throughout the course of the time that I have been here to do something about that. Every time I have voted to develop, explore, and to bring on line many of those resources which are available to us for development, it has been blocked and stopped by those on the other side who insist on having a political issue rather than a solution.

Just because I was interested in this debate, as a Member of the House—and as I said, I voted on energy exploration on the North Slope of Alaska, what we know as ANWR—I went up there last year because I wanted to find out what the debate was all about because in trying to understand these issues, when you come down here on the floor of the Senate, I believe it is important that you have a full perspective and insight into the arguments that are made by those on the other side. So we went to some of the development sites. We went to Prudhoe Bay, we went to the Alpine site, we went to Kabarak, and we went to the section 1002 area, which is the area which was proposed for development by an agreement that occurred way back in 1980, I believe between Senator STEVENS and someone on the other side of the aisle at that time. We looked at that area. We took one of those little planes, and we flew out there and walked around in that particular area, and we looked at the technology that is available today at some of those sites and how they, with a very minimal footprint on the surface, are able to access enormous amounts of energy below the surface in an environmentally sound way. They use ice roads, and then during the summer months when everything melts, the roads disappear; they are gone.

It is a remarkable thing for anybody who wants to see it. You walk away from that saying: Hold on just a minute here. I don't understand what the big issue is. We have an opportunity to do something about what are the most pressing economic issues and one of the most pressing national security issues facing our country, and that is energy and energy independence, energy security, and we have this vast resource up there and we can't get at it because it is consistently filibustered here in the Senate even though there is majority support, 57, 58 votes in favor of that. Yet after it passed the House and it went through the Senate, it got to conference and it came back, and we had an opportunity to do something that would allow us finally—finally—to explore and hopefully bring on line that incredible resource on the North Slope of Alaska.

For those who are concerned about the impact on the environment, you should know that the caribou are doing fine. Caribou numbers have actually increased, and they have dramatically over the past 30 years in that area.

My point very simply is this: We as a nation have to do something to help ourselves. We cannot continue to be

held over a barrel by the sheiks and the mullahs in the Middle East or by Venezuela or any of the other countries from which we derive the majority or the vast majority of our energy supplies in this country. America needs to be energy independent.

I believe that consists of many things. I have been a big proponent of renewable fuels. As a Member of the House and now as a Member of the Senate, I was delighted that we were able last summer in the Energy bill to include in there a renewable fuel standard for the first time. As a matter of policy in this country, we have said we are going to guarantee a market for renewable fuels. Frankly, why would we not, when we have all of these things which we raise and grow, take a bushel of corn and be able to convert it into 2½ gallons of fuel we can use to run our economy here in this country, do that? It makes so much sense, and it lessens our dependence upon our addiction to oil, which, as the President said in his State of the Union Address, and I give him great credit for that, is something we need to do, a direction in which we need to move. Renewable energy is an important component of that. I believe there are a number of things that we need to be doing in the area of conservation as well, but I want to see more partnerships between manufacturers and retailers and producers of ethanol and biodiesel and other renewable energy so that we can begin to get away from that enormous amount of dependence we have on oil.

Even today, we hope to produce in the very near future 7.5 billion gallons of ethanol, which is what is called for in the renewable fuel standard. I think we are going to have to increase that dramatically because we are going to be there very soon. We are already at the 4.5 billion gallon level, on our way very quickly to 7.5 billion gallons, because we have a desperate need in this country, and production is coming on line more and more all the time. But even at that level, we use about 140 billion gallons of gasoline a year in this country. So ethanol represents about 3 percent of what the total demand or total consumption in America is for energy today. So it is important in this whole debate that we continue to develop those other sources, those traditional energy sources until such time as we can get where we begin that transition toward renewable energy.

But in the short term, we have a need. We have a need for oil resources. As I said, in places such as Alaska, we have an opportunity to do some things offshore in this country. We have a lot of offshore resources and reserves that are available, not only of oil but of natural gas, which is also a desperate situation which many people in my part of the country, in farm country, depend upon because that is what fertilizer is made from.

Every time we have had an opportunity to do something to address the long-term issue of supply in this country, we have met the politics of obstruction. I mentioned earlier going back to 1995 when Congress passed legislation that would authorize exploration of energy in Alaska. But if you look more recently than that, going back even to 2003—when the President took office in 2001, they created an energy task force, they made recommendations, they came up with an energy plan, and there was an energy bill that was debated up here on Capitol Hill, several different permutations of that, and ultimately one passed. In 2003, an energy bill passed. It passed the House and Senate, and it went into conference. The conference came out with a report that passed overwhelmingly in the House, came back to the Senate in November of 2003, and it was filibustered.

It failed by two votes. Fifty-eight votes to shut off a filibuster here in the Senate that would have gotten us an energy bill 2 years sooner, gotten us down the path toward a renewable fuel standard 2 years sooner, and addressed some of those supply issues 2 years sooner. But no, it was blocked. It was delayed, it was filibustered, and it was killed in 2003 by that Congress.

So to have people getting up now and many of my colleagues on the other side going out and holding news conferences and getting up on the floor of the Senate and beating their chests and making all these self-righteous speeches, to me it seems to be the very essence of hypocrisy, if you look at a decade-long practice of obstructionism when it comes to putting in place sound energy policies that would have lessened our dependence upon foreign sources of energy and put us much closer on a path toward energy independence.

So as we get into this, I have a piece of legislation which I have introduced along with Senator OBAMA from Illinois that would provide additional incentives for fuel retailers to begin to install pumps that would pump E–85, to build the demand and continue to create this market, this opportunity to work on the production side. On the retail side, again, we need to be working with the manufacturers when it comes to these flex fuel-type vehicles. I will continue to press forward on renewable fuels. That legislation—it is a bipartisan bill—and I hope it is something we can move through this Chamber, along with other types of initiatives, including additional supply initiatives.

Frankly, there is one other issue which I should also mention because, there again, we ran into basically party-line resistance in the Environment and Public Works Committee. We tried to pass through the Environment and Public Works Committee earlier this year legislation that would expand our refinery capacity. We have not built a refinery since 1976. We had Katrina wipe out much of our refinery capacity in the gulf and, as a consequence, we are having a difficult time not only with the supply, but we are also having a difficult time with refineries. We have what, in my view, we ought to be doing, and that is waiving a lot of these requirements on these boutique fuels because right now, at this particular time of year, the refineries have to go through this exercise of remixing and coming up with all of these different types of blends. It seems to me that at a minimum, we ought to be able to at least give them some temporary relief from that, but we also need to be building more refineries in this country.

We voted on that in the Environment and Public Works Committee, and it went down for all intents and purposes on a party-line vote. There was one Republican who voted with the Democrats. The fact is, that is true. But we had a wall of opposition from the Democrats on the Environment and Public Works Committee to even reporting the bill to the floor so that we could engage in a debate so that all Senators have an opportunity to participate in that debate about whether we ought to do something about the issue of refinery capacity in this country.

So my point again very simply is this: Since I have been here, in three terms in the House and during my time in the Senate, I focused on energy because it is important to my State, as I said earlier, and because I am a big proponent of increased use of renewable fuels. But every time we have had a chance to vote, whether it is ANWR, whether it is offshore production, whether it is refineries, whether it is the Energy bill in 2003, we run into the same arguments. And you will hear the same arguments that we heard in December and that we heard back in 1995 when we debated at that time the authorization of exploration in Alaska, and that is: It will take 10 years. Well, like I said, 10 years ago, if President Clinton had signed that bill into law, that 10 years would now be up. But the point is, we can't afford to wait another decade. We can't allow another decade of obstructionism to prevent us from doing what we ought to be doing to make America's energy future more secure. It is important that we focus as Senators, and I hope in a bipartisan way. But it doesn't help the issue to have all of this partisan hand-wringing and politicking. I know it is a year divisible by two. Whenever it is a year divisible by two, the rhetoric escalates a lot, and when everything gets said and done, a lot more gets said than done.

The reality is, we have an issue on which the American people want action. They should have had action 10 years ago. They should have had action 6 years ago. They should have had action 4 years ago. They should have had action in November of 2003, when that particular Energy bill was filibustered by our colleagues on the other side. But it is never too late to do the right thing.

We have an opportunity to do the right thing for the American people. If

that consists of, as I said earlier, taking on the oil companies if there is any evidence whatsoever that there has been collusion or price fixing or gouging or any form of anticompetitive activity, then let's put the screws to them. Let's prosecute them to the full letter of the law. But let's also do something we should have done a long time ago, and that is begin to develop the resources that we have in this country and do something to help ourselves so 30 years from now, when my kids are my age, they are not saying the same thing that I am saying today, and that is that we have wasted 30 years and we are still as dependent on foreign sources of energy.

Frankly, I don't think we can wait that long because I do believe energy security is a matter of national security, and there is nothing that has a more profound impact and effect on the pocketbooks of working Americans. It is important that we do something about this. It is time to end the obstruction. It is time to end the block-and-blame game. It is time to get down to the business of taking care of the needs of the American people that they expect us to address.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, for the information of Senators who may be interested in knowing what the plan of action is for the remainder of today, we have pending before the Senate an amendment offered by the distinguished Senator from New Hampshire, Mr. GREGG, relating to border security, to strengthen, tighten up the provisions of this bill with respect to adequacy of funding to protect the security of our borders.

It is our understanding that the other side would like to have an amendment also offered tonight, with debate on it, as much as whoever wants to discuss it would like to engage in, and then enter into some kind of agreement on having votes, back-to-back votes or close together tomorrow, on the two amendments, the Gregg amendment and whatever amendment is offered on the other side.

That is the situation as I understand it. I am happy to see the distinguished Democratic leader on the floor. He may be able to add to that or clarify the intentions with respect to another amendment tonight.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, the manager of the bill is absolutely right. We have an amendment that has been laid down by the Senator from New Hampshire. We are going to lay one down. Rather than do a second-degree, we have talked to the floor staff, and it would be more appropriate to have two side by side.

Subject to the approval of your leader, we would have those two votes around noon tomorrow. We will debate. Anybody who wants to debate it tonight can do so and then we will come in in the morning and divide up what time is left over after morning business and have that vote. As I indicated, I only briefly talked to the majority leader about this. We had a meeting down at the White House, so I didn't talk to him at any great length, but this sounds like a fair way to go forward and move this bill along a little bit.

Mr. COCHRAN. I thank the Democratic leader.

AMENDMENT NO. 3604

Mr. REID. Mr. President, I have an amendment at the desk. I call that up.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Mr. REID. I ask unanimous consent to do so.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3604.

Mr. REID. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide, with an offset, emergency funding for border security efforts)

TITLE ___—BORDER SECURITY

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR BORDER SECURITY

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For an additional amount for the ''Office of the Secretary and Executive Management'' to provide funds for the Office of Policy, $2,000,000: *Provided*, That the entire amount is solely for a contract with an independent non-Federal entity to conduct a needs assessment for comprehensive border security: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE CHIEF INFORMATION OFFICER

For an additional amount for the ''Office of the Chief Information Officer'' to replace and upgrade law enforcement communications, $50,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES VISITOR AND IMMIGRATION STATUS INDICATOR TECHNOLOGY

For an additional amount for ''United States Visitor and Immigration Status Indicator Technology'' to accelerate biometric database integration and conversion to 10–print enrollment, $60,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $180,000,000, of which $80,000,000 is for border patrol vehicle replacement and $100,000,000 is for sensor and surveillance technology: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure of these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'' to replace air assets and upgrade air operations facilities, $790,000,000, to remain available until expended, of which $40,000,000 is for helicopter replacement and $750,000,000 is for recapitalization of air assets: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve an expenditure plan for the complete recapitalization of Customs and Border Protection air assets and facilities: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'', $120,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure for these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to replace vehicles, $80,000,000: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'' for acquisition, construction, renovation, and improvement of vessels, aircraft, and equipment, $600,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for ''Acquisition, Construction, Improvements, and Related Expenses'' for construction of the language training facility referenced in the Master Plan and information technology infrastructure improvements, $18,000,000, to remain

available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Mr. REID. Mr. President, I am going to briefly talk about this amendment tonight and then we will have more time in the morning if necessary.

I had the opportunity 3 weeks ago tomorrow to go to the border, the Mexico-California border. We flew. We could see the Arizona border. I spent the day there and certainly got an understanding of some of the problems that these valiant Border Patrol agents face.

San Ysidro, CA, is one of the entry points. It is hard to visualize this, but think in your mind's eye of 24 lanes of traffic coming into America from Mexico. That is what is at San Ysidro, 24 lanes of traffic, one way; 24 lanes of traffic, 7 days a week, year round.

While I was there, the agent showed me some of the things they had been able to catch: a little utility truck, and hidden in it was narcotics in a secret compartment; a car, a compact car, and they had built a canvas drop in it under the back seat. Eight people were stuffed into that in the compact car, underneath so you couldn't see them, but the dogs and agents were able to pick them up.

These were only two examples. All day long this goes on. I talked to the agents about the walls that have been put up. These people, called coyotes—call them whatever you want—these people, who are criminals, who take money from Mexicans to bring them into the United States, sit up on one fence, which is a metal fence. On the other side there is a chain-link fence. If they see a Border Patrol agent, they have these powerful slingshots that have hospitalized our agents.

The Border Patrol agents say they can handle most of the traffic of people coming across the border. But what they need is protection against automobiles coming across the border. That is what they need help with. In a few places they have big metal things, about this big, that are stacked side by side to keep automobiles from coming across the border.

The only reason I paint this very meager picture of some of the things I saw is, as we speak, there is an emergency on the southern border. I am happy for the $2 billion. I am happy to put it into border security. That is important. I have talked about comprehensive immigration reform, and I have done it often and I always start with: Let's protect our borders. Then we move into the guest worker program, then we move into the path of legalization, and then we move into what we are going to do to make sure employer sanctions are meaningful.

I am in favor of the $2 billion, but I am not in favor of the across-the-board cut that is in the underlying Gregg amendment. That is not right. It is not right because it is robbing Peter to pay Paul. The amendment I have offered will secure the border in the same way as the Gregg amendment. It is the same amount of money. The difference is, I say, on an emergency appropriations bill, which we have before us—if there were ever an emergency, this is it—the Gregg amendment makes no sense. I have the greatest respect for Senator GREGG. I think he is one of the most principled people with whom I have ever dealt. But I say this amendment makes no sense. It robs Peter to pay Paul at the end of the day by taking vital resources away from who? Our military. And it fails to make us more safe. It makes us less safe.

There are lots and lots of examples of what an across-the-board cut would do. In order to pay for border security, it cuts the military personnel account, which includes cuts to pay and benefits for our Active Duty, our Guard and Reserve serving now in Iraq, Afghanistan, and elsewhere around the world. Do we want to have an across-the-board cut there? I don't think so. I hope not.

The underlying amendment, the Gregg amendment, makes cuts to operations and maintenance which provide for the body armor, for example, and the other day-to-day needs of our troops fighting in Iraq and Afghanistan.

The underlying Gregg amendment makes cuts to the Iraqi security forces training. I had the good fortune to be invited to the White House today, and on the big TV screen there in the White House we had the Ambassador to Iraq from the United States and General Casey telling us what is going on in Iraq.

One of the things General Casey and Khalilzad talked about was what is happening with the training of Iraqi forces. We are going to cut this money down as a result of border security? I don't think that is a good idea.

If we are going to succeed in Iraq, and that is very questionable at this time, but if we are going to succeed in Iraq, and I hope we do, one of the key areas of concern is the Iraqi security forces. If we are going to bring our troops home, we have to bring them up, and this amendment, the Gregg amendment, cuts those moneys.

The Gregg amendment makes cuts to the Joint Improvised Explosive Device Defeat Fund, which aids our troops in eradicating the deadly IEDs they confront daily. The reason that is so vitally important is when the war started, basically what the terrorists used were garage door openers. That is what they used, a garage door opener, basically. A vehicle comes by, they planted a bomb, they push that down, it blows up.

We have worked on ways to change that. But the Iraqis have also worked to stay ahead of us. That is why we still have these bombs going off. It is because we have to continually work with money from the Improvised Explosive Device Defeat Fund to have scientists and other technicians decide how we can defeat these explosive devices. The Gregg amendment cuts these moneys.

The Gregg amendment makes cuts to the Defense Health Program which provides medical assistance to our troops on the battlefield. One good thing about this war—and there are not a lot of good things about this war—is the percentage of the soldiers who are wounded who end up dying is very much less than in any other war because we have such great medical attention on the battlefield and we have protective equipment for these soldiers.

So they are not dying at the rate they did in the first Iraqi war, certainly not in Korea, and certainly not in the Second World War and certainly not in Vietnam. But the Gregg amendment makes cuts to this defense health program which provides medical assistance to our troops who are in the battlefield, not after they have come home. And really, the senseless nature of this amendment is that it makes cuts to the Death Gratuity Fund which assists families of fallen soldiers.

Also, I think almost every Senator has been to Walter Reed or Bethesda. You will see parents there with their wounded sons and daughters, husbands and wives. There is a fund that helps bring these people here. A lot of it is done through other charitable organizations, but we don't want to cut the Defense Health Program. And we don't want to cut the Death Gratuity Fund.

The Gregg amendment forces us to take from our troops to fortify our borders. That is a false choice. We do not have to choose between a secure border and a secure military, especially at a time when we are in a war. We can secure our borders and support our military.

As I have indicated, I am 100 percent for securing our borders. But we can find a better way to do it than cutting necessary resources from the men and women who keep us safe. This is an emergency appropriations bill. If there were ever an emergency, it is our border with Mexico and at times the northern border.

So I hope we can go forward with these resources but, as with the other things in this bill, this is an emergency. Our amendment calls for spending the $2 billion, but it would fall in line with the other matters in this bill. It would be an emergency.

I hope Senators will vote for this, what we call a side-by-side that I have offered. This is the right way to do this. I don't think anyone should have on his or her conscience voting an across-the-board cut on a defense bill. This is basically a defense bill, this supplemental. We should not have this on our conscience. Border security is an emergency without any question in my mind. I hope Senators will agree.

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

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

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. COCHRAN. Mr. President, this is a statement of an agreement that has been reached between the two leaders regarding the votes on the pending amendments.

I ask unanimous consent that at 12 o'clock on Wednesday, April 26, the Senate proceed to a vote on the pending Gregg amendment, as modified, to be followed immediately by a vote on amendment No. 3604 on the subject of border security offered by Senator REID; provided further that no second-degree amendments be in order to the amendments and that when the Senate resumes consideration of the bill on Wednesday all debate time until the votes be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I thank the distinguished Democratic leader, and I thank all Senators for their cooperation in the consideration of this bill today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

AMENDMENT NO. 3594, AS MODIFIED

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Gregg amendment be modified with the changes at the desk.

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

The amendment (No. 3594), as modified, is as follows:

At the appropriate place, insert the following:

TITLE ____—BORDER SECURITY

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR BORDER SECURITY

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For an additional amount for the ''Office of the Secretary and Executive Management'' to provide funds for the Office of Policy, $2,000,000: *Provided*, That the entire amount is solely for a contract with an independent non-Federal entity to conduct a needs assessment for comprehensive border security: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE CHIEF INFORMATION OFFICER

For an additional amount for the ''Office of the Chief Information Officer'' to replace and upgrade law enforcement communications, $50,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES VISITOR AND IMMIGRATION STATUS INDICATOR TECHNOLOGY

For an additional amount for ''United States Visitor and Immigration Status Indicator Technology'' to accelerate biometric database integration and conversion to 10-print enrollment, $60,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $180,000,000, of which $80,000,000 is for border patrol vehicle replacement and $100,000,000 is for sensor and surveillance technology: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure of these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'' to replace air assets and upgrade air operations facilities, $790,000,000, to remain available until expended, of which $40,000,000 is for helicopter replacement and $750,000,000 is for recapitalization of air assets: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve an expenditure plan for the complete recapitalization of Customs and Border Protection air assets and facilities: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'', $120,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure for these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to replace vehicles, $80,000,000: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'' for acquisition, construction, renovation, and improvement of vessels, aircraft, and equipment, $600,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for ''Acquisition, Construction, Improvements, and Related Expenses'' for construction of the language training facility referenced in the Master Plan and information technology infrastructure improvements, $18,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS TITLE

REDUCTION IN FUNDING

SEC. ____. The aggregate amount provided by chapter 3 of title I of this Act and chapter 3 of title II of this Act may not exceed $67,062,188,000.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

ENERGY PRICES

Mr. FRIST. Mr. President, I would like to make a few comments on what is on the forefront of most people's minds today, especially if they have been in their automobiles or their trucks or driving their tractors, and that is the rising oil prices. As the weather heats up and families plan their summer vacations, many are getting increasingly frustrated by the rising price of gas. Every day it seems gas prices are ticking up, and some areas of the country gas prices have already topped a whopping $3 per gallon. Experts tell us that these already high prices only threaten to get worse as we head into the summer driving months.

While we understand global supply and demand pressures around the world, especially China and India, are the main culprits, it really doesn't

seem fair to the average American consumer that they are having to pay so much at the pump each time they fill up their vehicle. It simply can't go on indefinitely. We can't continue to rely on foreign oil that comes from governments that are unstable or are directly hostile to America's interests. Just this week, Iran's hard-line President threatened that ''the global oil price has not reached its real value yet.''

We need to find short- and long-term solutions to America's dangerous dependence on these foreign sources of oil. We need to find ways to strengthen and diversify our own domestic supply.

On Monday, Speaker HASTERT and I sent the President a letter. In that letter we urged an effort to direct the Federal Trade Commission, as well as the Department of Justice, to examine, investigate possible price gouging and other anticompetitive practices that may be unfairly driving up gas prices. Price gouging, price fixing, and other forms of collusion are wrong. They are immoral. They should be prosecuted to the full extent of Federal and State law. I am pleased that the President announced yesterday that the investigations we asked for are underway. I also urge consumers to report any suspicious activity directly to the Department of Energy's Web site so that we can track down any wrongdoers and bring them to justice.

Meanwhile, Senator STEVENS and others have developed an anti-price-gouging bill in response to my request last fall following the hearing with the CEOs of the major oil companies. I anticipate that the Senate will take up the Stevens proposal. In addition, the President has wisely called for suspending additions to the Strategic Petroleum Reserve this summer. We have enough oil in the reserve to get through any major short-term supply disruptions. While it is not a lot, this brief halt will leave a little more oil on the market and, as the President said, every little bit helps.

These are important first steps in bringing relief to millions of Americans being pummeled with high prices at the pump. But there is much more to be done. We need to think long term and strategically on how to move the supply and demand equation in our favor by breaking America's addiction to oil and diversifying our energy supply. Instead of looking for scapegoats, as the other side is doing now, we need to look for solutions and provide long-term security for the American people.

Last summer, after a decade of partisan obstruction, Congress passed a comprehensive energy bill. We doubled the amount of ethanol and biodiesel in our gasoline. By 2012, this should reduce oil consumption by 80,000 barrels a day. We passed a hybrid car tax credit of up to $3,400 per vehicle. There is more that we can do to encourage consumers to purchase fuel-efficient hybrid cars, and we will pursue those options vigorously. The Energy bill also allocated significant funding for research and development of hydrogen fuel cells. If just 20 percent or one out of five cars used fuel cell technology, we would cut oil imports by 1.5 million barrels a day.

We need to build on these initiatives and encourage American consumers, the producers, and entrepreneurs to think beyond oil. I believe, as does the President, that America's future lies with technology that will allow Americans to use environmentally safe and diverse energy sources. Instead of driving into a gas station, we will pull up to a fueling station where we might plug in or fill up with ethanol, electricity, or hydrogen or some combination that technology has made possible.

Political instability in Venezuela won't send our energy prices soaring. Foreign dictators won't be able to use oil to hold the world's policies hostage. America will be safer and more secure with American energy coming from American sources.

The Energy bill we passed last year is a good start. We can accomplish a whole lot more if we can get bipartisan cooperation. Unfortunately, when it comes to energy security, bipartisanship has been hard to come by, and that makes solving the energy problem even more difficult.

Developing new energy sources takes time and research. For example, had President Clinton not vetoed ANWR a decade ago, the reserve would be producing a million barrels of oil a day right now. That is about three-fourths of what we currently import from Saudi Arabia.

I hope to be able to work with my colleagues on both sides of the aisle to find fair and effective ways to strengthen and diversify America's energy supply.

Challenge, action, solutions—that is what the American people sent us here to do. By staying focused on our long-term goals, we can keep America moving forward.

METHAMPHETAMINE

Mr. FRIST. Mr. President, the growing problem of meth has been particularly personal to me. As I have traveled across my home State of Tennessee, I have heard the heart-wrenching stories of how meth is tearing families apart and about the unique challenges that meth abuse presents to law enforcement and social services.

I would like to commend Chairman GRASSLEY and Ranking Member BAUCUS of the Finance Committee for holding a hearing earlier today to discuss the social and economic impact of methamphetamine on our Nation's child welfare system.

Law enforcement ranks the number one drug problem—above cocaine, marijuana, and heroin. I am proud that the Senate listened to law enforcement and that we acted earlier this year by passing the Combat Meth Act. Because of this legislation, meth users in all 50 States are now restricted from purchasing large quantities of ingredients, like pseudoephedrine, used to make meth. This law is a step in the right direction. However, as we heard today in the Finance hearing, there is much left to be done.

One particular aspect of meth abuse that was addressed in the hearing today is the impact that this poisonous drug is having on our Nation's children. The hazards to children living in meth homes are numerous. First, when meth is being cooked, children are exposed to dangerous gases and hazardous waste which spread throughout the house, contaminating everything, including the children's clothes and toys. A recent study shows that the amount of exposure children living in meth lab homes have is about the same as if they were using meth directly. Secondly, these labs often explode, resulting in serious injuries, burns, and even death to innocent children.

Children living in homes where meth is being made are also more likely to be severely neglected and physically, mentally, and sexually abused by members of their own family as well as other individuals who may be present. Meth causes users to become paranoid and irritable, often leading to child abuse. Once the drug wears off, users tend to sleep for long periods and sometimes days, leaving children to fend for themselves.

One individual testifying today told the committee about a mother who was on a meth binge and literally forgot she had a baby. Child protective services was called when the woman did not pick up her 2-month-old from a babysitter. Three weeks later when the mother was located, she admitted that she had been on a meth binge.

Child welfare services throughout the Country have seen a sharp increase in the number of children removed from meth homes in the last several years. Two weeks ago in Knoxville, TN, a 18-month-old boy was rescued from a meth home when law enforcement raided the house and arrested his mother and her boyfriend for manufacturing meth. Sadly, this is just one example of a much larger problem.

In the last 2 years, over 1,000 children have been removed from homes in Tennessee due to meth-related investigations. And, nationwide, thousands more children were rescued from homes where meth was being cooked. Dr. Nancy Young testified today that in the last 5 years, over 15,000 children have been impacted by meth manufacturing nationwide. She added that this number was very low because many incidents go unreported.

The methamphetamine epidemic continues to place a tremendous strain on an already overburdened child welfare system. Child protective services and welfare officials are struggling to cope with the staggering increase in meth-related cases and the subsequent challenges associated with this particular addiction. Social workers in rural

areas, where meth use is particularly prevalent, are rarely trained to deal with the unique issues related to this drug. They put themselves into harm's way every time they go into a home to rescue a child, both because of the toxic chemicals to which they are exposed, as well as the combative and sometimes violent state of the addicted parents.

As was highlighted by Chairman GRASSLEY and Senator BAUCUS this morning, the current funding structure for America's child welfare system is outdated and ill-equipped to respond to the challenges of the methamphetamine epidemic. We need to look at how we can better help States and communities respond to the spike in the number of meth-related child welfare cases, and I am pleased that the Finance Committee will continue to investigate the Federal role in healing children and families who are plagued by this dangerous and highly addictive drug.

Again, I thank Chairman GRASSLEY and Senator BAUCUS for holding the hearing today. And, I commend the individuals who shared their stories of recovery with the committee. From their testimony, we saw first hand that treatment can work. We heard that education about the devastating consequences of meth use can help to prevent potential users from going down this path of destruction. And, we learned that far too many of our Nation's children are being put at risk in homes where meth is being cooked.

As we continue to address the important issue of combating methamphetamine abuse, we need to do more to protect America's children, to educate our citizens about the dangers of drug use, and to support effective drug abuse treatment methods.

NATIONAL CRIME VICTIMS' WEEK AND LAS VEGAS TAKE BACK THE NIGHT

Mr. REID. Mr. President, I rise today to recognize National Crime Victims' Week, which began April 23 and runs through April 29. This year's theme is Victims' Rights: Strength in Unity. Victims of violent crime may never be able to forget the trauma they have suffered, but with unity and support, they will have a chance to heal.

That is why I would also like to acknowledge a powerful event that will take place in my home State of Nevada on April 28—the Take Back the Night March.

Take Back the Night started in the late 1970s as a way to recognize and protest the concerns women had about walking outside at night due to threats of assault, rape, and murder. Since then, the event has spread to almost every corner of the United States and around the globe

Hundreds, if not thousands, of Take Back the Night marches and rallies are held each year—often in late April—to coincide with National Crime Victims' Week. We have had events in Nevada before, especially on our university campuses, but this year is the first community-wide march in Las Vegas.

I am pleased to see this event expanding into the entire Las Vegas community. Take Back the Night marches are positive events that bring together communities and empower victims of domestic violence and sexual assault. The women and men who have survived these crimes can see they are surrounded by strong and supportive friends, neighbors, family members, and advocates. As organized by the Rape Crisis Center, this Take Back the Night includes activities for children and families, music, food, an open microphone, and a peace rally.

I have been a longtime supporter of legislation to combat violence against women, including the landmark Violence Against Women Act, VAWA. I voted for VAWA in 1994 and its reauthorization in 2000 and 2005. Our society can never be strong unless all its members feel safe in their own homes and on their own streets. We must do more to stop domestic violence and sexual assault.

I appreciate the time and effort of every Nevadan who is taking part in this year's Take Back the Night March. I would especially like to thank the Rape Crisis Center and its dedicated staff for organizing this wonderful event. I look forward to working with them in the future to make our streets safer.

TRIP TO COLOMBIA, PERU, BRAZIL AND DOMINICAN REPUBLIC

Mr. SPECTER. Mr. President, during the period of April 7–16, 2006, my colleague on the Senate Judiciary Committee, Senator JEFF SESSIONS, and I traveled to Colombia, Peru, Brazil, and the Dominican Republic for a firsthand view on issues of immigration, drug enforcement, and trade.

On April 7, 8, and 9, we traveled to Bogotá and Cartagena, Colombia. Upon exiting the plane, we immediately met with Ambassador William Wood, who has been U.S. Ambassador to Colombia since August 13, 2003, and is a graduate of Bucknell University.

I was looking forward to returning to Colombia in that I had not had an opportunity to visit there since December 1999. At the time, President Pastrana was the President of Colombia, and I had the opportunity to discuss with him my concerns about the forcible eradication of the supply of narcotics and the status of peace talks between the Colombia Government and the Revolutionary Armed Forces of Colombia, FARC.

Traveling to Colombia this time, I was aware that Colombia was still facing many serious challenges. Many of these suspicions were corroborated by Ambassador Wood. Ambassador Wood stated that the United States sent Colombia $600 million in aid in 2005. The purpose of this aid is to assist Colombia against various drug cartels and guerilla groups which threaten Colombia's security. Colombia faces two leftist and one rightwing insurgent group that wage guerilla warfare, carrying out kidnappings, hijackings, attacks on civilians, and political assassinations. The primary threat that Colombia faces is from FARC. Ambassador Wood estimated that FARC is composed of 17,000 members and operates in approximately 40 percent of Colombia.

Senator SESSIONS and I were also made aware of some recent changes that have occurred to Colombia's justice system. Ambassador Wood stated that the new Colombian Justice system has instilled in the Colombian people a new level of confidence in the prosecution of criminals. The new system provides for live testimony through the implementation of an oral accusatorial system, whereas the previous system was nonadversarial and operated almost exclusively on the basis on written testimony. Ambassador Wood stated that the new system is now in Bogotá and three other municipal areas. Over 17,000 prosecutors and judges have received intensive training in the new accusatory system in 2005 from various U.S. agencies. The implementation of this new justice system demonstrates that the Colombian Government is serious about cracking down on crime and will no longer serve as a kangaroo court for the benefit of the cartels.

Ambassador Wood also noted several other significant areas where the Colombian Government has improved in the area of law enforcement. Specifically, Ambassador Wood noted that the number of annual homicides were at their lowest number in 18 years. The number of kidnappings is down 39 percent, and terror attacks are down 42 percent under President Uribe's administration.

Later during the trip to Colombia, we had the opportunity to meet President Alvaro Uribe and Colombia's Vice Minister of Foreign Affairs, Camilo Reyes. I came away extremely impressed with President Uribe and his agenda for Colombia. President Uribe is a true Colombian patriot who has elected to take the battle to FARC and to try to eliminate the cultivation of illegal narcotics in his country. Based primarily on his success against narcotic groups, President Uribe was reelected President of Colombia on March 12, 2006, on a platform to defeat guerillas, eliminate paramilitary organizations, end narcotrafficking, and enhance Colombia's domestic security.

The first issue that Senator SESSIONS and I broached with President Uribe was the issue of narcotics. Approximately 90 percent of the cocaine that enters the United States and 80 percent of the heroin east of the Mississippi comes from Colombia. President Uribe agreed with us that the biggest problem in the war on drugs was lowering the consumption of drugs. President Uribe believes, as do I, that so long as

there are consumers of drugs, people will keep producing it. Despite this concern, President Uribe was adamant that Colombia, with continued assistance from the United States, would be able to win the war on drugs. President Uribe felt that so long as the United States supplied financial aid to Colombia for another 5 years, they will have taken significant steps towards eliminating cocaine production from his country.

During our meeting with President Uribe, Senator SESSIONS and I also discussed the recent actions that the U.S. Senate and House of Representatives have taken on the issue of illegal immigration to the United States. I was very curious to hear President Uribe's opinion on how we might deal with the issue. President Uribe stated his belief that it was important for the United States to legislate carefully in this area in order to maintain a positive relationship with Colombia. President Uribe noted that the United States needed friends in South America in order to serve as a counterweight to Venezuela and President Chavez. The comprehensive Senate bill that originated in the Judiciary Committee, President Uribe noted, appears preferential to the House bill.

Senator SESSIONS and I also asked President Uribe about the problem of seasonal workers that emigrate from Colombia to the United States in order to work temporarily on farms and don't return to Colombia once their appointed working time period has elapsed. I was interested to hear President Uribe state that he understood the concerns that the United States has with seasonal workers that overstay the work period in the United States. President Uribe stated that Colombia currently has a good working relationship with both Canada and Spain and that he would like to implement that same system with the United States. I asked President Uribe to explain how Colombia was able to get their seasonal workers to return from Canada and Spain after their designated work period had elapsed. President Uribe stated that whenever Colombia sends seasonal workers to Canada or Spain, they keep very close track of where the temporary worker is working and for what time period he is permitted to stay. Seasonal workers also have learned that if they don't return to Colombia at the conclusion of the seasonal work period, then they will never be permitted to participate in an overseas work program again.

Despite President Uribe's approach on this topic, I still expressed grave concerns whether this incentive of returning to seasonal work would be enough to have seasonal workers return from the United States at the conclusion of their work period. President Uribe said he would consider having Colombian workers have microchips implanted into their bodies before they are permitted to enter the United States to work on a seasonal basis. I doubted whether the implantation of microchips would be effective since the immigrant worker might be able to remove them.

I also asked President Uribe what new policies he would like to see the United States enact. President Uribe stated that the five nations of the Andean community, Colombia, Peru, Ecuador, Venezuela, and Bolivia, are going through trying times. President Uribe felt that it was important that the United States maintain a good relationship with Colombia, Peru, Ecuador, and Bolivia to combat the anti-American influence of Venezuela's President Chavez. I had the opportunity to visit President Chavez in December of 2005 and agree that he does pose a threat to U.S. interests in South America. I still believe, however, that it would be prudent for the United States to deal directly with President Chavez in order to reach an understanding on some of our Nation's differences.

Finally, President Uribe discussed with us a recent vote that had just taken place concerning the protection of intellectual property rights among the Andean nations. By way of background, in 2003, President Bush announced the intentions of the United States to begin negotiating a free-trade agreement, FTA, with Colombia, Peru, Ecuador, and Bolivia. Colombia, Bolivia, Ecuador, and Peru currently benefit from the Andean Trade Promotion and Drug Eradication Act, ATPDEA. This trade pact, which is set to expire on December 31, 2006, authorizes the President to grant duty-free treatment to certain products, with more than half of all U.S. imports in 2004 from the Andean countries entering under these preferences.

In a recent vote which just took place in the Andean community, the community voted three to two to protect intellectual property rights in trade agreements with the United States. Colombia, along with Peru and Ecuador, voted in favor of the protection of intellectual property rights, whereas Venezuela and Bolivia voted against the protection of these rights. President Uribe is concerned about whether or not Peru will still support the protection of intellectual rights once they elect a new President in the summer of this year.

Later in Colombia, Senator SESSIONS and I met Susan Reichle, Deputy Director of the USAID mission in Bogotá, and Guillermo Del Coilitto, Jorge Droujo and Rosano de Riccardi, board members on Project Unidad Pedagogica Productiva Agroindustrial de Turbaco. During our visit to the project, we were told that the project was started in order to teach 300 displaced Colombian families how to generate income and garner employment through agricultural and agribusiness activities in Northern Bolivar, Colombia. This and other USAID projects in Colombia provide income and employment opportunities to rural communities which agree to give up the growth of narcotic crops and for those that are displaced by the country's continued conflict. These projects serve to instill these employment skills which they can market outside of the cultivation of narcotics. I left Project Unidad Pedagogica Productiva Agroindustrial de Turbaco with a favorable opinion of the work that USAID is performing in Colombia.

When we visited the U.S. Embassy in Bogotá, Colombia, on April 8, 2006, we reviewed the incident of February 13, 2003, when a small U.S. plane crashed in Colombia resulting in FARC taking hostage Marc Gonsalves, Keith Stansell, and Tom Howes, who were under contract with the Department of Defense in the war against drug traffickers. Despite the best efforts by President Uribe to rescue these hostages, all efforts, as of now, have been unsuccessful. During our visit to the Embassy we were told that, if there were sufficient Department of Defense resources applied, the hostages could be located. As a result of this meeting, Senator SESSIONS and I sent a letter to Secretary of Defense Rumsfeld on April 10, 2006, requesting that he allocate additional resources toward the location of these men. In discussing this matter with the personnel at the Embassy, it was obvious that they wanted more resources for this effort as a successful outcome would clearly have a positive impact on morale and national credibility. One of the men at the Embassy said he thinks about the hostages every day. The Embassy people talk about these men as POW and MIA and there are plaques and signs displayed throughout the Embassy.

Senator SESSIONS and I also met with Robert Taylor, Assistant Regional Director in the Drug Enforcement Agency, DEA, and Admiral Alfonzo Diaz of the Colombian Navy. Mr. Taylor and Admiral Diaz discussed the methods by which the Colombian cartels use to smuggle cocaine and other drugs out of the country. We were advised that the primary way that drugs are shipped out of Colombia is via the use of go-fast boats. Go-fast boats can carry up to 3 tons of cocaine and can reach high rates of speed. They are frequently used to transport drugs to Mexico, Central American and Caribbean transshipment countries, using refueling vessels to extend their range. Despite the advent of go-fast boats, the Colombian navy, in conjunction with U.S. agencies, was able to intercept $25 billion in cocaine in 2005 as a result of their own faster go-fast midnight express boats, which can reach speeds in excess of 60 knots.

Both Admiral Diaz and Mr. Taylor stated that Colombian law enforcement has an excellent working relationship with the United States and all of its agencies. One of the primary examples of this is the sharp increase in the number of extraditions of Colombians to the United States. Since President Uribe took office in 2002, Colombia had

extradited 304 Colombian nationals and 11 non-nationals to the United States. In early 2005, Colombia extradited FARC leader Nayibe Rojas Valderama and Cali Cartel leader Miguel Rodriguez Orejuela. The zeal with which President Uribe's administration is waging the war on drugs left little doubt that it is in the interests of the United States to continue to assist him.

Senator SESSIONS and I arrived in Peru on April 10, 2006. I have had the opportunity to travel to Peru on four previous occasions, the last of which was on January 4, 2002. This was an optimum time to be in Peru, as they are in the midst of Presidential elections which had taken place the day before our arrival. We first met with Ambassador Curtis Struble, who was confirmed as Ambassador to Peru on December 9, 2003. He and his staff gave us a country briefing and informed us that Peru's poverty rate is approximately 50 percent, but that Peru's economy is starting to rebound and per capita growth rate rose in 1 year from $2,100 a year to $2,800.

Soon after our meeting with Mr. Struble, we were met by Oscar Marutua, Peru's Foreign Minister, and Pedro Pablo Kuczynski, Peru's Prime Minister. I was especially impressed with Mr. Kuczynski, who is a graduate of Princeton University and worked in New York City for 20 years. He reminded me of our squash match 4 years earlier and commented on my ''drop'' shots.

One of our primary concerns was the status of Peru's recent Presidential elections. Prime Minister Kuczynski advised us that there were a total of 23 separate candidates running for President in Peru. Out of these 23, only 3 were viewed as serious candidates. Ollanta Humula, a leftwing candidate who had been receiving significant monetary support from President Chavez, was leading in the early election return with 30 percent of the vote. The other two primary candidates, Ms. Lourdes Flores Nano and Alan Garcia, were characterized by Mr. Kuczynski as moderates and were in a dead heat, each capturing about 25 percent of the votes.

Mr. Kuczynski explained that under Peru's political system, if no candidate receives 50 percent of the vote, then a run-off vote between the top two candidates occurs on May 7, 2006. Without question, it will be in the interest of the United States that either Ms. Flores Nano or Mr. Garcia prevails in Peru's election for President.

Foreign Minister Maurtua stated that there are approximately 1 million Peruvians living in the United States. Of these, he estimated that 50 percent were residing in the United States illegally. Kuczynski suggested breaking the issue of immigration down into two parts: what to do with the people already in the United States and what to do with those who would like to go there.

Senator SESSIONS and I also met with Susan Keogh, Director of Narcotics Affairs in Peru. Ms. Keough discussed the current difficulties the Peruvian Government was having in combating narcotics and the deleterious effect that narcotic cultivation has on the environment. Ms. Keough stated that approximately 400,000 acres are being deforested annually for the cultivation of coca and other plants. On average, there are approximately 40,000 to 100,000 coca plants per 2 acres, which require about 2 tons of chemicals to be used for their production. Since coca is very vulnerable to diseases, coca growers cover the coca with pesticides which are very deleterious to the environment. Some portions of these chemicals almost always find their way into rivers and streams, as coca must be cultivated close to a water supply.

I asked what efforts the Peruvian Government is taking to combat these problems. Ms. Keough remarked that the Peruvian Government hardly focuses on this issue and that the growth of cocaine and the effects on the environment was rarely mentioned during the current Presidential campaign. We suggested to Ms. Keough that she and her colleagues, who were concerned about protecting the environment, should write letters to the editor of respected Peruvian newspapers expressing their concern over the growth of cocaine in Peru and the deleterious effects that this cultivation is having on the environment.

Senator SESSIONS and I arrived in Brazil on April 12, 2006. Immediately upon our arrival, we met with acting U.S. Ambassador and Deputy Chief of Mission to Brazil, Phillip Chicola, a Cuban-American who came to the United States in 1961 and graduated from Florida Atlantic University. Mr. Chicola stated that, although Brazil views the United States as an ally, the Brazilian administration has made building relations with neighboring countries in the southern hemisphere its first priority. He said that Brazil is seeking to redress U.S. influence by strengthening ties with nontraditional trading partners such as India and China.

Senator SESSIONS and I also asked Mr. Chicola about narcotics trafficking throughout South America. Mr. Chicola stated that, although Brazil is not a significant drug-producing country, Brazil does serve as a conduit for cocaine moving to Europe and Africa. Specifically, both Colombian and Bolivian drug smugglers attempt to transport cocaine over the Brazilian borders. Although Colombian drug smugglers have had some success in bringing narcotics across the border, the Amazon rain forest and various rivers provide natural boundaries against drug smuggling. As a result of these natural boundaries, drug smugglers have attempted to fly drugs out of Colombia and into Brazil. Mr. Chicola stated that the majority of drug smugglers now ship their cocaine through Venezuela as a result of Brazil's shootdown law, which authorizes the Brazilian Air Force to use lethal force in the interdiction of aircraft suspected of involvement in drug trafficking.

Later during the trip we met with Under Secretary for South American Affairs Ministry for External Relations, Jose Eduardo Felicio. Mr. Felicio was an articulate, impressive man, who spent several years of his life working in New York City. One of the first questions we asked Mr. Felicio was how the United States can limit the destabilizing effect that President Chavez has been having on South America. Mr. Felicio stated that the Brazilian Government views Chavez as the legitimately elected President of Venezuela even though they do not approve of everything he says publicly. Mr. Felicio stated that, despite Chavez's harsh rhetoric against the United States, Brazil does not believe there is sufficient proof that Chavez is a disrupting force in South America.

I also asked Mr. Felicio what steps the United Nations Security Counsel should take in regards to Iran's attempts to develop nuclear arms in violation of the nonproliferation treaty. Mr. Felicio stated that, while Iran should cooperate with requests made by the International Atomic Energy Association, Brazil does not believe that Iran is being treated fairly because there is a double standard against Iran. While certain countries like Israel, Pakistan, and India are permitted to develop nuclear programs in violation of the Nuclear Non-Proliferation Treaty, Iran has been unfairly singled out.

The next portion of the CODEL took us to Manaus, where we spoke with Mr. Francisco Ritta Bernardino, the owner of many hotels throughout the Amazon and noted author of several books dealing with the importance of the Amazon ecosystem. A lawyer and entrepreneur, Mr. Bernardino told us of his meeting with Jacques Cousteau, the famous diver and undersea explorer who documented life in the Amazon from December 1981 to November 1982. Mr. Bernardino stated that it was during this time period that Jacques Cousteau convinced him that the greatest threat to mankind was not nuclear war, but the destruction of nature. Cousteau believed that if the destruction of the Amazon was not halted, mankind would be sacrificing the future of their children and grandchildren.

Soon after Mr. Bernardino's meeting with Mr. Cousteau, he set about the construction of the Ariau Amazon Towers. Mr. Bernardino stated that he built the hotel in the middle of the Amazon in order to help people become acquainted with the Amazon in a region untouched by people. The Ariau Amazon Towers are built upon seven wooden towers interconnected by raised walkways over portions of the Amazon River. These walkways connect the towers with various docks and paths that lead throughout the Amazon.

During our meeting with Mr. Bernardino, we inquired about the origin of the Amazon River flow. Mr. Bernardino explained that the Amazon River is created at the junction of the Negro and Solimoes Rivers near Manaus. He stated that the water of the Negro River runs approximately 3,200 kilometers, originating from the various tributaries that spill out of the Andes Mountains of Colombia and Peru. The water of the Negro River is completely black, colored from the collection of minerals and organic materials that it collects from hundreds of tributaries that empty into it from the rock beds of the Andes. Mr. Bernardino explained that, although the Negro River is full of acid and poor in oxygen, it fertilizes the surrounding shores with its rich minerals. In contrast to the Negro River, Mr. Bernardino stated that the water of the Solimoes River is colored light blue and flows from the Brazilian-Peruvian border. The Solimões River runs for about 1,600 kilometers, until it meets the black Negro waters where it merges to form the Amazon River in a floodplain about 80 kilometers wide.

The Amazon River runs 5,904 kilometers in length; its basins widening during the rainy seasons to as much as 100 kilometers. Mr. Bernardino explained that approximately 1,100 tributaries empty their waters into the Amazon and that the Amazon average width ranges from 2 to 30 kilometers, until it reaches a width of 230 kilometers when it empties into the Atlantic Ocean. The flow of the Amazon river is so forceful that the waters of the Atlantic Ocean are pushed approximately 2 to 5 kilometers away from the shoreline of the Amazon basin by its free-flowing fresh water.

We also met with the National Aeronautical Space Administration, NASA, Project Liaison to Large Scale Biosphere Atmosphere Experiment, Josefine Durazo, about the effects the deforestation of the Amazon is having on global warming. Ms. Durazo explained that the Large Scale Biosphere Atmosphere Experiment, LBA, is an international cooperative research program led by Brazil and dedicated to the study of International Geosphere-Biosphere studies regarding the deforestation of the Amazon. She further stated that she worked with the LBA–ECO, which is a subproject operating under the LBA, funded entirely by NASA. The LBA–ECO is dedicated to gaining an understanding of how the ecosystem of the Amazon functions as a system and what effects the deforestation of the Amazon are having on climate control.

Ms. Durazo explained that NASA began funding the program in 1998 by constructing tower sites which measure carbon flux in various geographic areas within the Amazon. These towers, in conjunction with extensive support by Brazilian researchers, enable NASA to measure the flux of carbon levels during forest fires and lumbering projects. As a result of this research, NASA and LBA have discovered that current logging efforts in the Amazon cover an area nearly equal to that of the portions that have already been deforested. Ms. Durazo stated that by using these techniques, NASA and the LBA will soon be able to determine the effect that the continued logging of the Amazon will have on the level of carbon dioxide being emitted to the atmosphere.

After our meeting with Ms. Durazo, I had my staff reach out to Michael Keller a physical scientist working at the International Institute of Tropical Forestry. According to Mr. Keller, carbon dioxide is responsible for the largest portion of the manmade greenhouse effect. Each year, there are eight gigatons, 1 billion tons, of carbon added to the atmospheric burden of carbon dioxide. Of those 8 gigatons, 1.6 result from land use change processes, such as the clearing of forest and savanna in the tropics. Mr. Keller estimates that .3 gigatons of the carbon emitted to the atmosphere occurs as a result of the deforestation of the Amazon. Accordingly, Mr. Keller and other experts believe that the deforestation of the Amazon is playing a significant role in the manmade greenhouse effect. NASA is continuing to study the data that they have collected in the Amazon.

Senator SESSIONS and I arrived in the Dominican Republic on April 15, 2006, and met for a team briefing with Peter Reilly of the DEA, Andy Diaz of the FBI, Michael Garuckis of the State Department, Jeff Radgowski of the Coast Guard and Timothy Tubbs of the Department of Homeland Security regarding issues of drug trafficking and immigration.

We were told at this briefing that the Dominican Republic's long border with Haiti, combined with its overstretched law enforcement agencies and geographic location in the Caribbean, make the country a prime location for drug traffickers. Although the Dominican Republic is not a major drug-producing country, it nonetheless acts as a transit point for cocaine and heroin bound for the United States from Colombia and Venezuela. The main trafficking points are by sea from Colombia, which lies just 360 nautical miles from the coast of the Dominican Republic.

We were also informed at this briefing that there are approximately 1.6 million Dominicans residing in the United States. In 2005, U.S. immigration authorities repatriated 4,918 Dominicans. Most of those returned to the Dominican Republic had served 4 to 9 years in jail in the United States.

After our country briefing, we traveled to see a training program run by the Hotel Association with assistance from USAID and the Peace Corp at La Romana Bayahibe Tourism Cluster, Romana Cluster. The Hotel Association is attempting to educate and train the local populace in order to make the Dominican Republic more attractive to tourists. The Romana Cluster is a community of homes built by USAID for displaced individuals on land purchased by the Hotel Association for displaced Dominicans.

While there, we met with Lisette Gill, the executive director of the Romana Cluster, and Rosa Garza of the Peace Corps. Ms. Gill explained that the Romana Cluster was started in 2001 by USAID to train the local community in marketable skills so that the area would be more attractive to tourists. Ms. Gill stated that the Romana Cluster receives approximately $250,000 annually from the Hotel Association. Ms. Gill took us to a high school that was constructed by the Hotel Association for 120 students living in the Romana Cluster. Before the construction of this high school, we were told that Dominicans living in the area could not attend high school, as there was no public schooling available in the area.

Later that evening, we met with the Foreign Minister for the Dominican Republic, Mr. Carlos Morales Troncoso. I told the Foreign Minister that I had spoken to President Uribe about the problem of the United States of getting guest workers to return to their native country after they had finished working, and I was interested to hear his thoughts on the subject. Mr. Troncoso stated that the Dominican Republic had just begun a guest worker program with Spain. The Dominican Republic guest worker program was a 2-year program whereby the government would keep a log of where the worker would be working in Spain and where they could find him. Mr. Toncoso explained that, so long as the worker performed well and returned to the Dominican Republic at the end of the working season, then it would be permissible for the worker to work in Spain the following year. He stated that if the worker does not come back, that worker would be barred from being eligible for any future participation in a guest worker program.

Mr. Troncoso admitted that there is always the problem of some guest workers not wanting to return to the Dominican Republic, but nonetheless, the current system seems to be working well. Mr. Troncoso stated that, in 2005, Dominican Republic citizens working in the United States sent approximately $2.8 billion back to their families in the Dominican Republic.

Senator SESSIONS and I also had the opportunity to meet with President Leonel Fernandez Reyna. President Reyna was a very impressive man who was born in Santo Domingo in 1953 and moved to New York City in 1956 where he attended elementary and junior high school. President Reyna returned to the Dominican Republic in 1969 and served as President from 1996–2000 but was not permitted to run again as a result of term limits. In 2003, however, the Dominican Republic constitution was changed, permitting President

Reyna to become President for a second time in 2004.

President Reyna spoke to us about the border problems that the Dominican Republic was having with illegal Haitian immigrants entering the Dominican Republic. President Reyna explained that, while the Dominican Republic's unemployment rate was 17.4 percent, Haiti's was approximately 50 percent. As a result of this, the Dominican Republic must constantly contend with Haitian citizens coming across the border looking for work. President Reyna stated that it was imperative for the Dominican Republic to encourage the expansion of democratic institutions in Haiti, in the hope that this would lead to political stability.

We returned to Washington on April 16 to use the second week of the recess to work on the immigration bill.

HONORING OUR ARMED FORCES

STAFF SERGEANT KEVIN P. JESSEN

Mrs. LINCOLN. Mr. President, today I rise to pay tribute to SSG Kevin P. Jessen of Paragould, AR. To those who knew him best, he was a loving husband and proud father whose life was filled with love and laughter. To his fellow soldiers serving on the battlefields of Iraq, he was a hero who, in the course of saving countless American and Iraqi lives, sacrificed his own.

His lifelong interest in military history and explosives led him to a career as an explosive ordnance disposal technician. It came as no surprise to friends and family that the young Arkansan, who spent countless hours as a child playing with G.I. Joe toys and bottle rockets, would become a soldier. He joined the ROTC while in high school and upon graduation enlisted in the National Guard before ultimately joining the U.S. Army.

Staff Sergeant Jessen's first of three tours in Iraq occurred shortly after Operation Desert Storm when he helped dispose of explosives left over from the war. In 2004, he returned through service in Operation Iraqi Freedom, only to return for a third tour 6 months after his second was completed. While serving in a foreign land seemingly worlds away from home, his heart and thoughts were undoubtedly never far from his wife Carrie and his 2-year-old son, Cameron. Between tours of duty, this battle-hardened soldier was often found changing diapers or handling bottle feedings in the middle of the night. It was the proud duty of a man who loved his family so very much, and it was symbolic of his devotion to them.

Throughout his time in Iraq, Staff Sergeant Jessen's role as an explosives ordnance disposal technician ensured that he was often called upon to disarm roadside bombs. Although it continually placed him in the line of danger, he selflessly saw it as his duty to help protect the lives of his fellow soldiers as well as the lives of Iraqi civilians. Tragically, while serving on a postblast investigation on March 4, 2006, he was killed by a secondary explosion in Rawah, Iraq.

At Staff Sergeant Jessen's memorial service, he was laid to rest with full military honors. Hundreds of family, friends, and those wishing to pay their respects joined together to remember this young Arkansan and to honor the life he led. Along his funeral procession, members of a grateful community endured the cold weather to honor this fallen hero, many with hands held over the hearts and waving American flags. At the cemetery, the American flag that had draped Staff Sergeant Jessen's casket was folded and presented to Carrie and Cameron as a token of remembrance of the man they loved and the sacrifice he made on behalf of us all.

Although the 28 years that Kevin Jessen spent with us were far too short, I am hopeful that his friends, family, and loved ones find some solace knowing that he touched the lives so many. He set examples of devotion to family and country that we should all follow, and he led an honorable life of love and selflessness that will continue to serve as an inspiration to us all.

My thoughts and prayers are with Carrie, Cameron, and all those who knew and loved this fallen hero.

STAFF SGT. BROCK A. BEERY

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Warsaw, IN. SSG Brock Beery, 30 years old, died on March 23 when his armored vehicle struck a land mine 80 miles west of Baghdad. With his entire life before him, Brock risked everything to fight for the values we Americans hold close to our hearts, in a land halfway around the world.

Brock decided to pursue a career in the Army in 1994, immediately following his graduation from Tippecanoe Valley High School. Remembered as a good student and a good husband, Brock took great pride in his work. He remained close to his family throughout his time in Iraq and planned to attend his younger sister's high school graduation in June. His father recounted to a local newspaper, ''[Brock] liked his job. He liked challenges; he put his best foot forward every time. He gave his best to his family, too.''

Brock was killed while serving his country in Operation Iraqi Freedom. He was a member of the Headquarters Company, 2nd Battalion, 123rd Armored Division, based in Bowling Green, KY. This brave young soldier leaves behind his mother and father, Pamela and Roger Beery; his wife and 7-year-old daughter, Sara and Elissa; his sister, Hope; and his brothers, Joel and Tobey. He was serving his third overseas tour of duty.

Today, I join Brock's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Brock, a memory that will burn brightly during these continuing days of conflict and grief.

Brock was known for his dedication to his family and his love of country. Today and always, Brock will be remembered by family members, friends and fellow Hoosiers as a true American hero and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Brock's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Brock's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of Brock A. Beery in the official record of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope that families like Brock's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Brock.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

In March 2006, Gregory Pisarcik was sentenced to life in prison in Santa Ana, CA for the murder of Narciso Leggs, a gay man. During the attack, Pisarcik repeatedly hit Leggs over the head with a champagne bottle. When police later found his body one ear had been cut off and anti-gay slurs were written all over his body. According to sources, police feel that sexual orientation was a motivation for the attack.

I believe that the Government's first duty is to defend its citizens, to defend

them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law we can change hearts and minds as well.

GENOCIDE IN SUDAN

Mr. DODD. Mr. President, today is Holocaust Remembrance Day. Each year, our Nation commemorates this tragic event with a week-long period of remembrance, and this Thursday, I will join several of my colleagues in a ceremony honoring the victims of the Holocaust in the Capitol Rotunda. The theme for this year's ''Days of Remembrance,'' the ''Legacies of Justice,'' honors the courage and fortitude of those who testified during the trials of Nazi war criminals.

As many of my colleagues know, I have a personal connection to those trials. My father, Senator Thomas Dodd, then a young lawyer, was asked by the chief counsel for the United States at Nuremberg, U.S. Supreme Court Justice Robert Jackson, to join his prosecutorial team. My father served as vice-chairman of the Review Board and as executive trial counsel, and his experiences at those trials greatly influenced his thinking on human rights and the importance of international justice for the rest of his life.

One of the major accomplishments of the prosecutors and witnesses at Nuremberg was publicly exposing the scope of depravity of Nazi crimes. My father and his colleagues went to great lengths to meticulously record that evidence, and their efforts formed the basis of much of our current knowledge about the Holocaust. According to the U.S. Holocaust Memorial Museum, for example, it was during the Nuremberg trials that the world first heard the estimate of 6 million Jewish deaths.

I believe that my father and his colleagues placed so much emphasis on revealing the extent of Nazi crimes in large part because they understood that the Nuremberg proceedings had the potential to reach an audience that far exceeded the four members and four alternate members of the Tribunal sitting in judgment of the defendants. These trials would reveal to the world and to future generations that such unthinkable crimes were possible, and that the international community must, therefore, stand up to injustice and abuse wherever they occur.

The evidence uncovered by the Tribunal was truly horrific. Indeed, the crimes committed by the Nazis were so heinous that they required a new lexicon to describe them. These crimes were prosecuted under the legal terminology of ''crimes against humanity,'' but later, an entirely new word describing them was formalized: genocide. Genocide refers to certain actions committed with the ''intent to destroy, in whole or in part, a national, ethnical, racial, or religious group.''

Sadly, the crime of genocide is not unique to the Holocaust. In Bosnia, Cambodia, and, of course, Rwanda, too many innocents died while the world looked away. And today, in Darfur, Sudan, escalating violence is claiming thousands of additional lives in a conflict that the Congress unanimously declared genocide almost 2 years ago, in July 2004. Secretary of State Colin Powell made that same declaration in September of that year.

Several weeks ago, I received a DVD about the situation in Darfur made by a group of Danbury, CT, high school students. The DVD, entitled ''The Promise,'' is truly a wake-up call. The title, of course, refers to the promise made by the world after the Holocaust—the promise of ''Never Again.''

Yet, as these students so vividly portray, the people of Darfur continue to suffer while the world takes too little notice. By some estimates, as many as 300,000 people, many of them civilians, may have lost their lives in Darfur since the start of the conflict. The Government of Sudan has refused to curtail, and in many instances has actively supported, the activities of Jingaweit militias that have attacked and targeted tribal groups of African decent.

In a particularly moving segment of their DVD, the Danbury students display some of the artwork of children who have fled their homes in Darfur. As the students say, so much can be learned through the eyes of a child, and these images, produced by the children without any prompting, are of war, fire, and death. I think of my own children and shudder to imagine them suffering through the terror that afflicts the children of Darfur every day. Indeed, despite all that we have learned since Nuremberg, I am sad to say that the promise of ''Never Again'' remains a promise unfulfilled.

But while the story of Darfur is clearly one of tragedy, it is also one of hope. Since the start of the conflict, I have been impressed by the dedication and advocacy demonstrated by the people of Connecticut on this issue. If we are ever to fulfill ''the promise,'' it will be due to the extraordinary efforts of dedicated individuals such as these Danbury High School students. I am proud that these students, just like the brave individuals who stood up to testify at the Nuremberg Tribunals 60 years ago to demand justice, are standing up to demand action in Darfur today.

In their DVD, the Danbury High School students cite a famous statement by Ghandi: ''Be the change you wish to see in the world.'' I can think of no greater compliment to these students and the numerous individuals in Connecticut and across this country who have advocated for increased international action in Darfur, than to say that they have lived up to that admonition. I ask unanimous consent that the names of the Danbury students who made this DVD be included in the record following my remarks.

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

(See exhibit 1.)

Mr. DODD. Today is a day of remembrance, but in remembering, we are also called to action. This week, we are debating the President's emergency supplemental request. To his credit, the President has included in that request substantial funds to support the African Union peacekeeping operation in Darfur and new humanitarian assistance.

Moreover, the United Nations Department of Peacekeeping Operations is scheduled to brief the Security Council tomorrow, on potential U.N. missions in Darfur. It is my hope that they will advocate a strong United Nations Peacekeeping force, despite Sudanese objections. It is also my fervent hope that we in the Senate actively support an increased international role in Darfur. Because only with our support can any international force hope to meet the enormous challenge of protecting the civilian population and providing a safe environment to supply humanitarian relief.

Finally, just as at Nuremberg the international community enforced justice where justice had too long been blind, I call on the Bush administration to actively support the work of the International Criminal Court in prosecuting those individuals who have committed crimes against the people of Darfur and against all humanity. I know the ICC is not popular in some circles of the Bush administration, but I believe it is the best tool we have to enforce the vision of universal justice that was inspired by Nuremberg.

Following the trials of the major war criminals before the International Military Tribunal at Nuremberg, President Truman declared: I have no hesitancy in declaring that the historic precedent set at Nuremberg abundantly justifies the expenditure of effort, prodigious though it was.

Individuals such as my father expected that the historic precedent described by President Truman would long inspire nations to take action against crimes such as those prosecuted at Nuremberg. The lesson of Nuremberg to these individuals was indeed the promise of ''Never Again.'' I hope that on this somber day of remembrance, we will commit ourselves to renewing that promise.

EXHIBIT 1

BACKGROUND—A DANBURY HIGH SCHOOL PROJECT

''The Promise'' is a Danbury High School student video about genocide in the Darfur region of Sudan. After school for three months at the end of 2005, a group of students worked with assistant principal Tim Salem on the project. The result is an eight minute documentary meant to raise awareness about the genocide and motivate action. The name ''The Promise'' is a reminder of the promise the United Nations and the world made in 1945 to hold people accountable for crimes against humanity. With the backdrop of the Holocaust, narration, images and quotations, the focus is on the plight of

the children of Darfur. The world was promised ''never again''. The children and people of Darfur are waiting.

CREDITS

All students are members of the class of 2006 Danbury High School, Danbury, Connecticut.

Created by: Timothy Salem and Brian Simalchik.

With: Katherine Calle, Caitlin Eaglin, Catherine Trieu and Lily Yeung.

Written by: Timothy Salem.

Narrated by: Emily DeMasi.

Edited by: Brian Simalchik.

Appearing: Katherine Calle, Emily DeMasi, Caitlin Eaglin, Mathew Ficinus, Simone Hill, Nick Noone, Michael Steinmetz, Catherine Trieu, Brian Wright.

Special thanks to: Brianna English, William Najam, Emmanuel Omokaro, Adam Pin, Greg Scalzo, David Shih, Iwonka Stepniak, Allison Walker.

IMMIGRATION REFORM

Mr. GRASSLEY. Mr. President, I rise to express concern about the consideration of comprehensive immigration reform legislation. As a member of the Judiciary Committee, I have been involved in the democratic process of reviewing, amending, and voting on this year's immigration bill. I was one of six Republicans who opposed the legislation in the committee on March 27.

When the bill was brought to the floor of the U.S. Senate, a select group of Members forged a ''compromise'' that drastically changed title VI of the bill that deals with the 11 million illegal aliens currently in the United States.

The Senate had very little time to review the bill. Moreover, some Members opposed any amendment that would change the Hagel-Martinez compromise. I had numerous amendments that would have improved the bill. However, the other side of the aisle refused to let our deliberative body do its job.

As a representative of the people of Iowa, I believe amendments should be debated. Therefore, I have asked the majority leader to make me aware of any unanimous consent agreements that both sides aim to enter into before unanimous consent is agreed to. I ask unanimous consent that my letter be printed in the RECORD.

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

UNITED STATES SENATE,
CHARLES E. GRASSLEY,
Washington, DC, April 25, 2005.

Hon. WILLIAM FRIST,
Majority Leader, U.S. Senate, Washington, DC

DEAR LEADER FRIST: I respectfully request that I be consulted prior to the entering into of any and all Unanimous Consent Agreements with regard to the Senate's ongoing consideration of any and all immigration reform or border security related legislation. This would include, but not be limited to, S. 2611 and S. 2612. Thank you.

Sincerely,

CHARLES E. GRASSLEY,
United States Senator

91ST ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mr. FEINGOLD. Mr. President, this month people around the world are joining together to remember and honor the men, women, and children who perished in the Armenian genocide. One and a half million Armenians were systematically massacred at the hands of the Ottoman Empire, and over 500,000 more were forced to flee their homeland of 3,000 years. It is important that we note this terrible tragedy.

When the Armenian genocide occurred, from 1915 to 1923, the international community lacked a name for such atrocities. In January 1951, the Convention on the Prevention and Punishment of the Crime of Genocide entered into force to affirm the international commitment to prevent genocide and protect basic human decency. Today, we have the words to describe this evil, and we have an obligation to prevent it. But we must also have the will to act.

The Armenian genocide may have been the first instance of what Winston Churchill referred to as ''the crime without a name,'' but it was certainly not the last. During the Holocaust, and later in the former Yugoslavia and Rwanda, the world has seen the crimes of ethnic cleansing and genocide recur again and again. Too often, the international will to stop atrocities has been lacking, or far too late in coming. Today, as the genocide in Darfur, Sudan, continues to unfold, we have to muster the will and the sense of urgency required to save innocent lives.

The international community has made the first steps, but it has a long way to go in punishing and, particularly, preventing genocide. As we move forward, we must learn the lessons of Armenia's genocide. We cannot be misled by the rhetoric of scapegoating, denial, and obfuscation used by murderous leaders to disguise their agenda. And we cannot respond to evidence of methodical, brutal violence by wringing our hands and waiting for some definitive proof that these events qualify as genocide. Enforcing a collective, international commitment to prevent and stop genocides from occurring is imperative. We owe the victims of the Armenian genocide this commitment.

This is why we must remember the Armenian genocide. To forget it is to enable more genocides and ethnic cleansing to occur. We must honor its victims by reaffirming our resolve to not let it happen again.

NATIONAL VOLUNTEER MONTH

Ms. MIKULSKI. Mr. President, 7 months ago, the world watched in horror and disbelief as Hurricane Katrina tore through the gulf coast and left massive devastation in its wake. We have seen the pictures of toppled buildings, collapsed houses, and communities covered in an endless blanket of debris. We have wondered—how will they ever recover?

With the help of volunteers, slowly they are making progress. Hundreds of selfless do-gooders have been putting on hard hats, wading through homes knee-deep in mud, clearing debris and literally doing the dirty work.

April is National Volunteers Month. I wish to recognize it by saying thank you to all the volunteers and service workers everywhere. And this year I especially want to honor those helping out with Hurricane Katrina recovery. They are taking time out of their lives to help their fellow Americans in their time of need—and they are doing it out of the goodness of their hearts.

AmeriCorps is the embodiment of this spirit of volunteerism and service to the country. Since 1989, I have been a leader in the creation of AmeriCorps. I introduced the National and Community Service Act to establish the Corporation for National and Community Service to oversee and coordinate our national volunteer efforts and to create a demonstration program that has evolved into what we know today as AmeriCorps. As one of the founders, I have been its chief advocate in the Senate. I fought to create AmeriCorps, I fought to strengthen AmeriCorps, and I will continue to fight to save key AmeriCorps programs.

Hundreds of members of the AmeriCorps National Civilian Community Corps, NCCC, have set up camp in the gulf region. They have provided more than 250,000 service hours valued at $3.8 million to Hurricane Katrina recovery projects. They are helping thousands get their homes, their communities, and their lives back.

Their help is needed now more than ever. But President Bush's fiscal year 2007 budget would completely eliminate the NCCC program and close its five campuses nationwide—including one in my own home State at Perry Point, MD. The Government let the people of the gulf coast down when Hurricane Katrina hit, we can't let them down in her aftermath.

That is why I fought back against President Bush's budget cuts and worked to make sure the emergency supplemental spending bill, which will be considered on the Senate floor this week, contained $20 million for the NCCC to support volunteer hurricane recovery activities on the gulf coast and other affected areas.

AmeriCorps volunteers tackle the toughest problems in our communities. Not only are NCCC teams a vital resource in hurricane recovery on the gulf coast, they are deployed nationwide to build homes, clear thousands of acres of forests burnt by wildfires, and tutor children. They are unflagging, unflinching, and determined to make a difference. And we need their help. Now is not the time to take our volunteers for granted and turn our backs on the NCCC. It is time to thank them not just with words but with deeds.

RETIREMENT OF JOYCE A. RECHTSCHAFFEN

Mr. LIEBERMAN. Mr. President, I rise today to convey my deep gratitude and everlasting appreciation to my Homeland Security and Governmental Affairs Committee staff director, Joyce A. Rechtschaffen, who is leaving the Senate after 10 years of service in my personal office and 7 on the committee to head Princeton University's governmental affairs office here in Washington.

Benjamin Franklin once said: ''Energy and persistence conquer all things.''

That six-word sentence sums up a career of accomplishments that could fill volumes.

Joyce was on the front lines of many of the challenges of the century just past and the century just begun. And through her energy and persistence she accomplished great things for the American people.

I hired Joyce in 1989, shortly after I was sworn in as a freshman Senator, and the two of us learned the ropes of this institution together.

She worked for me on the Environment and Public Works Committee, later moving to my personal office as my environmental legislative assistant and counsel.

Joyce, a graduate of Princeton University and Harvard Law School, developed a reputation as a tiger early on, contributing significantly to the Clean Air amendments of 1990, working passionately to preserve the Arctic National Wildlife Refuge, and proposing innovative solutions to stemming harmful greenhouse gases.

It is a reputation she not only never lived down but made a point of earning time and time again on issue after issue.

In 1999, I became ranking member of the former Government Affairs Committee, and I appointed Joyce as minority staff director. In 2001, I became chairman when Democrats regained control of the Senate, and Joyce became majority staff director through the following year.

Whether in the majority or minority, Joyce never let up. With her brilliant mind, near photographic memory, and absolute dedication to the job, Joyce has seen this committee through 6 years of profound accomplishment.

She brought her knowledge of environmental issues to bear by launching principled and studied investigations into the Bush administration's regulatory actions and energy policies.

Joyce helped this committee run its investigation of the demise of the Enron Corporation, establish the 9/11 Commission, and write legislation creating the Department of Homeland Security and the reorganization of our intelligence systems—among the most significant reorganizations of Government in half a century.

And in her final mission for the committee and the American people, Joyce helped shepherd our bipartisan investigation and report on the Government's failed response to Hurricane Katrina.

Leading by example, Joyce helped assemble and retain a loyal staff whose work ethic and dedication have been tested time and time again with late nights on tight deadlines handling mighty challenges for the American people. They are the envy of the Senate.

But this is all in Joyce's nature. Shaking things up was just part of Joyce's nature. To Joyce, the status quo was often a barrier to progress that must fall as the constant casualty of time as we advance the cause of making our Nation safer, fairer, and more just for each and every American.

I am sorry to lose Joyce's vast knowledge and expertise, and I will miss her sound advice, strict attention to every aspect of an issue, and most of all her faithful service to me through 17 years.

But Joyce, you can walk away knowing that it was a job well done.

Robert F. Kennedy said: ''Few will have the greatness to bend history itself. But each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation.''

Joyce, through her energy, persistence, and selflessness, has written herself silently into the history of the great challenges of this generation and left a legacy of achievement that will be both the envy and inspiration for all those who follow.

Unfortunately, our committee has not had a markup since Joyce announced her retirement; our next one will be next week, after Joyce has left us. But because we owe her so much, I will be asking the committee at next week's markup to report an original resolution thanking her. Chairman COLLINS has said she will join me in this resolution, the text of which follows these remarks. But let me close by saying thank you Joyce. I owe you more than I can say, and I wish you all the best.

I ask unanimous consent that the text of a proposed resolution be printed in the RECORD.

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

THANKING JOYCE RECHTSCHAFFEN FOR HER SERVICE TO THE SENATE AND TO THE COMMITTEE ON THE HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Whereas Joyce Rechtschaffen, an accomplished environmental lawyer, joined the staff of Senator JOSEPH I. LIEBERMAN upon his entry into the Senate in 1989 and served as his legislative assistant and counsel for environmental issues for almost ten years;

Whereas during her tenure in Senator LIEBERMAN'S office, Joyce Rechtschaffen contributed significantly to the protection of the nation's environment, most significantly through important contributions to the landmark 1990 amendments to the Clean Air Act, ceaseless efforts work to protect the Arctic National Wildlife Refuge and innovative proposals to stem the harmful effects of greenhouse gasses;

Whereas in 1999, upon Senator LIEBERMAN becoming the Ranking Member on the then-named Governmental Affairs Committee, Joyce Rechtschaffen took on the new challenge of serving as Democratic Staff Director;

Whereas during her more than seven years in that position, Joyce Rechtschaffen has worked tirelessly to advance the work of the Committee and of the nation;

Whereas Joyce Rechtschaffen has played a leading role in every accomplishment of the Committee since 1999, from the 2002 creation of the Homeland Security Department, to the establishment of the 9/11 Commission that same year, to the 2004 reorganization of the Intelligence Community, to the Committee's 2006 investigation into the governmental response to Hurricane Katrina, among many other things;

Whereas Joyce Rechtschaffen has shown the same focus and dedication to all of the work of the Committee no matter how significant the issue at hand;

Whereas Joyce Rechtschaffen has been a model manager, staffer, employee and colleague to all who have worked with her;

Whereas Joyce Rechtschaffen has worked tirelessly and selflessly for the Committee these past seven years, often at great personal sacrifice:

Whereas Joyce Rechtschaffen has been a model of integrity, intelligence, compassion and commitment to building a better America and has shown herself to be the very best and brightest of both civil and Congressional service; Now therefore, be it

Resolved, That the Committee on Homeland Security and Governmental Affairs thanks Joyce Rechtschaffen for her years of work for and dedication to the Senate and to the Committee and wishes her every success in her future endeavors.

ADDITIONAL STATEMENTS

UNIVERSITY OF MONTANA GRIZ

• Mr. BAUCUS. Mr. President, in Montana, we have a long and proud athletic heritage, and the University of Montana men's basketball team has added yet another chapter to this great legacy.

The Griz finished their Cinderella season with a 24-to-7 record. Among their many great achievements this season was beating perennial basketball powerhouse Stanford, upsetting the top-seeded Northern Arizona Lumberjacks to win the Big Sky tournament, and shocking the No. 5 seeded Nevada Wolfpack in the first round of the NCAA tournament.

This truly was a magical season for our Griz. By advancing to the second round of the NCAA tournament, the Griz accomplished a feat no Griz team had in over 30 years. Yet this season was about more than just wins and losses, it was about a team that is a true class act—both on and off the court.

This team's dedication to their school, their fans, their studies, and their community is a direct reflection of the man who leads them. Coach Larry Krystkowiak is truly the epitome of what it means to be a Montanan. Growing up in a small town, Coach ''K'' went on to play basketball at the University of Montana, where he

still holds the record for the most points and rebounds in a career. Once he completed his collegiate career, he went on to a successful career in the NBA.

After his retirement from professional basketball, Coach ''K'' moved to the other side of the bench and became an assistant coach. Eventually he found himself back home, as coach of the Griz. As head coach, Coach ''K'' instilled in his team that being a college athlete is about more than just playing a sport, it is about being a role model for a community. Nothing exemplifies this mentality more than when Coach ''K'' himself offered to have his head shaved in order to show support to a friend who had recently been diagnosed with cancer and to raise money for children who were battling the disease.

I want to take this opportunity to publicly congratulate each player on the roster, the coaching staff, Coach ''K'', and the entire University of Montana community for their magical season.

I ask that the list of coaches and team members be printed in the RECORD.

The information follows:

2005–2006 UNIVERSITY OF MONTANA MEN'S BASKETBALL TEAM

Coaches: Larry Krystkowiak, Head Coach; Andy Hill; Brad Huse; and Wayne Tinkle.

Players: Mike Chavez; Kevin Criswell; Matt Dlouhy; Bryan Ellis; Jordan Hasquet; Matt Martin; Virgil Matthews; Stuart Mayes; John Seyfert; Kyle Sharp; Greg Spurgetis; Andrew Strait; Austin Swift; and Eric Van Vliet.●

TRIBUTE TO VICTOR FONTANEZ

● Mr. BOND. Mr. President, I rise today to honor Mr. Victor Fontanez of Platte City, MO. Mr. Fontanez is a World War II veteran who served with distinction in Europe from 1942 to 1945.

Mr. Fontanez joined the Army in January of 1941, 11 months before the attacks on Pearl Harbor. He recognized the need for soldiers to answer the call, and swiftly volunteered for service wherever he could be used. Joining Company B, 47th Infantry Battalion, 9th Division, Mr. Fontanez was quickly shipped to North Africa where he participated in the larger Battle of Tunisia against German Field Marshal Erwin Rommel's vaunted Afrika Korps.

In April of 1943, near the town of El Guettar, his battalion was given orders to go over the top of an important hill. As he ran down the hill towards the enemy, a mortar shell exploded close to him, sending shrapnel into the left side of his body. Despite profuse bleeding, he continued on to the bottom of the hill and took cover near a large rock. Another mortar hit the rock, sending concussions through his body and making it difficult to breathe. After the attack, his fellow heroes helped him back to the headquarters, where he was patched up quickly and evacuated to an American hospital in Oran.

For the wounds he suffered that day, he was awarded the Purple Heart.

After his recovery, he was assigned to the 36th Infantry Division as a combat engineer. He was a crucial part of the landing forces at Salerno Bay, Italy. After securing their positions, they were given orders to help reinforce the Anzio beachhead, and then to take Velletri, one of the key cities that the Germans used in the defense of Rome. After the Nazis fell, his division marched through the streets of Rome to a hero's welcome. After the liberation of Rome, his division was sent off on ships to another crucial mission: the invasion of southern France.

It was during Operation Dragoon on the beaches of France that Mr. Fontanez would earn his highest award for valor. While the troops advanced inland from the landing area, a low-flying plane dropped a bomb onboard one of the ships in the bay, causing explosions and major fires.

After seeing a number of badly burned men jump from the ship with their clothes on fire—and with total disregard for his own safety—he entered the water and was able to swim several safely to shore.

For this selfless act of bravery, he was awarded the Soldier's Medal.

Later he rejoined his company and was able to help drive the Germans out of Cannes and Grenoble. Moving through the cold snow, they rested where they could. As Christmas 1944 approached, the 36th was hoping for a lull in fighting, but German forces launched an attack to the north. After successfully defending their positions, the 36th renewed the offense and crossed the Rhine River into Germany in late March 1945. It was shortly after this that Mr. Fontanez got his well-deserved rest, and was expedited home for extended leave.

Like so many of his generation, Mr. Fontanez's success extended beyond the battlefield. He fathered two children: a son, Victor, Jr., who is now a retired military officer; and a daughter, Edith, who currently lives in Platte City and works with Support Our Troops & Vets.

He is the proud grandfather of six grandchildren and great-grandfather of four, and counts a military chaplain, two Army soldiers, a Guardsman, an attorney, and a social worker in his lineage. Nearing 90 years of age, Victor Fontanez is a proud member and example of our ''greatest generation,'' and should be commended for his bravery in helping secure the freedoms we all enjoy. On this day, I encourage my colleagues to stand with me in praising the service of this true hero, Victor Fontanez.●

IN MEMORY OF MARCO ANTONIO FIREBAUGH

● Mrs. BOXER. Mr. President, California has lost a fine, young leader. Marco Antonio Firebaugh, former California Assembly majority floor leader, representing the 50th assembly district, and chair of the California Latino Legislative Caucus, recently passed away. I would like to take a few moments to recognize Marco Antonio Firebaugh's many important accomplishments and the tremendous impact he made as a leader in California.

Born in Baja California, Mexico, Firebaugh served three terms as a member of the California State Assembly and one term as the majority floor leader. In 1998, he was first elected to the California State Assembly, representing the 50th assembly district. During his tenure, he fought for the rights of all Californians, including immigrants and their children, with passion and great success. Under his leadership, the California State Assembly passed legislation that focused on increasing the availability of education to all California residents.

He led the effort to appoint more qualified Latinos and Latinas to high-level positions in State government, including the appointment of only the second Latino to serve on the California Supreme Court, the first Latina to serve as chancellor of a University of California campus, and two additional Latino presidents at the California State Universities at Fresno and Sacramento.

Firebaugh worked strenuously to protect and defend the dignity of his constituents, regardless of their immigration status, and remained involved in community affairs after his departure from the California State Assembly. He served as a visiting professor and policy fellow at the UCLA School of Medicine, Center for the Study of Latino Health and Culture. Most recently, he decided to reenter public life, as a candidate for the California State Senate, 30th district, and gained the support of many local community leaders, including current 30th district State senator Martha Escutia. His dedication to his fellow Californians will be missed.

I invite all of my colleagues to join me in recognizing and honoring Marco Antonio Firebaugh for his guidance and leadership in fighting to improve the lives of all Californians. He is survived by his mother, Carmen Ramos Garcia; his children, Ariana and Nicolas; brothers, Carlos and Jesse; and sisters, Cecilia and Esmeralda.●

TRIBUTE TO MARGARET SULLIVAN WILSON

● Mr. DODD. Mr. President, today I rise to honor one of Connecticut's finest educators: Margaret Sullivan Wilson.

Peg Wilson is a lifelong resident of Norwich, CT. Throughout her life, she has been dedicated to serving the people of her native city, as well as improving educational opportunities for children in Connecticut and, indeed, in America.

A 1944 graduate of Willimantic State Teachers College—now Eastern Connecticut State University—Peg received a bachelor's degree in education. She also attained a master's degree from the University of Connecticut. Between 1945 and 1950, she taught at Norwich Elementary School and was a reading supervisor in the Greenwich Public Schools. Returning to Eastern in 1950, Peg devoted herself to improving early childhood education.

In particular, Peg has dedicated herself to changing the way young students are taught. She advocated providing an individual approach to early childhood education, which was considered radical by many educators in the early 1950s. However, over the ensuing decades this approach has become widely accepted as the best method of preparing young children for success in school and life.

Peg Wilson was ahead of her time in recognizing the importance of providing children a comprehensive and demanding curriculum that considers each child's strengths and weaknesses. Her determination to improve early education was the driving passion of her career. As both a teacher and administrator, Peg imparted her ''radical'' theory to thousands of prospective teachers and parents during her nearly 40 years at Eastern. This knowledge undoubtedly improved the lives of even more children in Connecticut and throughout the country. For that, we should all be grateful.

During, and after her illustrious career at Eastern, Peg remained active in her community. While working at Eastern, Peg served on the Norwich Board of Education for 18 years. In addition, she is an original cofounder of the Norwich Historical Society, which is dedicated to promoting the history of that great New England town. In addition, she remained active in local politics, even running for city council president and State senate. Her contributions to her community have long been acknowledged; Peg received the Norwich Citizen of the Year Award in 1970.

Although Peg Wilson retired from Eastern in 1989 as vice president for administration and fiscal affairs, her dedication to early childhood development has continued undiminished. Never losing sight of her dream of individualized, comprehensive education for young children, Peg returned to Eastern as an assistant to the president. In this role, she spent nearly 4 years attempting to gain support for a facility on Eastern's campus dedicated to early childhood development. Her hard work, alongside that of the president and senior staff of Eastern, finally paid off. On February 28, 2006, Eastern University dedicated the Margaret S. Wilson Child and Family Development Complex. This new complex currently serves 14 children, ages 3 and 4, in a new comprehensive preschool, implementing many of the ideas Margaret Wilson has espoused for almost 60 years. As the center grows, a limited number of infants and up to 60 toddlers will be served. In addition, the center will eventually offer onsite services such as health, education, and financial services to the participating families. Peg's vision of comprehensive child development is truly being realized.

I would be remiss if I did not mention Peg's family: her late husband, W. Robert Wilson; her daughter, Margaret-Ellen Wilson; and her son, Dr. William Wilson, a recipient of Norwich's Native Son Award in 1999. Their love and support has been instrumental in allowing Peg to devote her career to promoting early childhood development.

As a Senator and a father of two young daughters, I am reminded every day of the importance of providing quality education early in a child's life. Throughout my career, I have strived to ensure that our country makes early childhood development a national priority. Today, I am honored to praise the work of someone who shares that commitment with me.

Margaret Wilson has played an integral role in improving thousands of young students' lives and reshaping early childhood education. The Margaret S. Wilson Child and Family Development Complex stands as a testament to one of Connecticut's most admired and visionary educators. This complex will help ensure that future generations of Connecticut children are provided with a quality education early in life, which is critical for our Nation's future. On behalf of a grateful state and nation, I say thank you, Peg Wilson, for all that you have done and continue to do for the children of America.●

CELEBRATING THE 125TH ANNIVERSARY OF ST. VINCENT HEALTH

● Mr. LUGAR. Mr. President, I am pleased to rise today in order to join my fellow Hoosiers in celebrating the 125th Anniversary of St. Vincent Health. Over the span of those 125 years, St. Vincent Health has grown into one of the largest health care systems in the State of Indiana, with 16 facilities serving 45 counties.

April 26, 2006, marks Founder's Day, the culmination of a year-long celebration which began on November 29, 2005, during which the 11,500 associates of St. Vincent and the communities they serve will commemorate this important milestone. This year Founder's Day will include the unveiling of a statue to commemorate the four Daughters of Charity who came to Indianapolis to start what is now known as St. Vincent Indianapolis Hospital and the 125 years of service that resulted from their remarkable work.

Like so many of my fellow Hoosiers, I am grateful for the important services that the associates of St. Vincent Health provide each day to Hoosiers in their time of need.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6378. A communication from the Director, Regulations and Disclosure Law, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Port of Entry at New River Valley, Virginia, and Termination of the User-fee Status of New River Valley Airport'' (CBP Decision 06–10) received on April 18, 2006; to the Committee on Finance.

EC–6379. A communication from the Regulations Coordinator, Center for Medicare Management, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program: Medicare Graduate Medical Education Application Provisions for Teaching Hospitals in Certain Emergency Situations'' (RIN0938–AO35) received on April 18, 2006; to the Committee on Finance.

EC–6380. A communication from the Regulations Coordinator, Office of Financial Management, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program, Requirement for Providers and Suppliers to Establish and Maintain Medicare Enrollment'' (RIN0938–AH73) received on April 24, 2006; to the Committee on Finance.

EC–6381. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Bureau of Labor Statistics Price Indexes for Department Stores—February 2006'' (Rev. Rul. 2006–23) received on April 24, 2006; to the Committee on Finance.

EC–6382. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''April-June 2006 Bond Factor Amounts'' (Rev. Rul. 2006–14) received on April 24, 2006; to the Committee on Finance.

EC–6383. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2006 Section 29 Inflation Adjustment Factor (for calendar year 2005)'' (Notice 2006–37) received on April 24, 2006; to the Committee on Finance.

EC–6384. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled ''Gulf Opportunity Zone Bonds, Gulf Opportunity Zone Advance Refunding Bonds, and Gulf Tax Credit Bonds Notice'' (Notice 2006–41) received on April 24, 2006; to the Committee on Finance.

EC–6385. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of Section 338 to Insurance Companies'' (RIN1545–AY49) received on April 24, 2006; to the Committee on Finance.

EC–6386. A communication from the Commissioner of Social Security, transmitting, pursuant to law, a report entitled ''Report on Acquisitions Made from Foreign Manufacturers for Fiscal Year 2005''; to the Committee on Finance.

EC–6387. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''National Coverage Determinations''; to the Committee on Finance.

EC–6388. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Vision Rehabilitation for Elderly Individuals with Low Vision or Blindness''; to the Committee on Finance.

EC–6389. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a draft of proposed legislation entitled ''Child Pornography and Obscenity Prevention Amendments of 2006''; to the Committee on the Judiciary.

EC–6390. A communication from the United States District Judge, Federal Judicial Center, transmitting, pursuant to law, the Federal Judicial Center's Annual Report for the 2005 calendar year; to the Committee on the Judiciary.

EC–6391. A communication from the Commander, Civil Air Patrol , United States Air Force Auxiliary, transmitting, pursuant to law, the 2005 annual report to Congress concerning community service; to the Committee on the Judiciary.

EC–6392. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, the 2005 report on the progress of implementing the provisions of the Family Court Act; to the Committee on the Judiciary.

EC–6393. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Appellate Procedure that have been adopted by the Supreme Court of the United States pursuant to Section 2072 of Title 28, United States Code; to the Committee on the Judiciary.

EC–6394. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law , the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States pursuant to Section 2075 of Title 28, United States Code; to the Committee on the Judiciary.

EC–6395. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law , the amendments to the Federal Rules of Evidence that have been adopted by the Supreme Court of the United States pursuant to Section 2072 of Title 28, United States Code; to the Committee on the Judiciary.

EC–6396. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law , the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States pursuant to Section 2072 of Title 28, United States Code; to the Committee on the Judiciary.

EC–6397. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law , the amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court of the United States pursuant to Section 2072 of Title 28, United States Code; to the Committee on the Judiciary.

EC–6398. A communication from the Secretary of Energy, transmitting, a draft of proposed legislation to authorize the Secretary of Energy to use expedited procedures to promulgate rules establishing energy conservation standards; to the Committee on Energy and Natural Resources.

EC–6399. A communication from the Secretary of Energy, transmitting, pursuant to law, the Annual Report on Federal Government Energy Management and Conservation Programs for Fiscal Year 2004; to the Committee on Energy and Natural Resources.

EC–6400. A communication from the General Counsel, Office of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulation: Make-or-Buy Plans'' (RIN1991–AB64) received on April 12, 2006; to the Committee on Energy and Natural Resources.

EC–6401. A communication from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Incident Reporting Requirements'' (RIN1010–AC57) received on April 18, 2006; to the Committee on Energy and Natural Resources.

EC–6402. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–6403. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement and a manufacturing license agreement for manufacture and export of defense articles or defense services sold commercially under a contract in the amount of $100,000,000 or more to Turkey; to the Committee on Foreign Relations.

EC–6404. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Iraq; to the Committee on Foreign Relations.

EC–6405. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed multi-contract effort for manufacture and export of defense articles or defense services sold commercially under a contract in the amount of $100,000,000 or more to Canada, France and the United Kingdom; to the Committee on Foreign Relations.

EC–6406. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the annual report on properties identified for possible disposal for fiscal years 2006 through 2007; to the Committee on Foreign Relations.

EC–6407. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 1002 (P.L. 107–243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102–1) for the October 15, 2005 through December 15, 2005 reporting period; to the Committee on Foreign Relations.

EC–6408. A communication from the Secretary for Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Board of Veterans' Appeals: Rules of Practice: Public Availability of Board Decisions'' (RIN2900–AM31) received on April 12, 2006; to the Committee on Veterans' Affairs.

EC–6409. A communication from the Secretary of Veterans Affairs and the Secretary of Defense, transmitting, jointly, a report regarding the implementation of the health resources sharing portion of the Department of Veterans Affairs and Department of Defense Health Resources Sharing and Emergency Operations Act for Fiscal Year 2002; to the Committee on Veterans' Affairs.

EC–6410. A communication from the Deputy Secretary of Veterans Affairs and the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, the report on the implementation of the health resources sharing portion of the Department of Veterans Affairs and Department of Defense Health Resources Sharing and Emergency Operations Act for Fiscal Year 2005; to the Committee on Veterans' Affairs.

EC–6411. A communication from the Chairman, National Foundation on the Arts and the Humanities, transmitting, pursuant to law, the annual report on the Arts and Artifacts Indemnity Program for fiscal year 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–6412. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Prohibited Transaction Exemption 2002–51 (PTE 2002–51) to Permit Certain Transactions Identified in the Voluntary Fiduciary Correction Program'' (RIN1210–ZA05) received on April 24, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6413. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Voluntary Fiduciary Correction Program Under the Employee Retirement Income Security Act of 1974'' (RIN1210–AB03) received on April 24, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6414. A communication from the Director, Regulation Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''New Animal Drugs; Removal of Obsolete and Redundant Regulations'' (Doc. No. 2003N–0324) received on April 12, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6415. A communication from the Director, Regulation Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Immunology and Microbiology Devices; Classification of Reagents for Detection of Specified Novel Influenza A Viruses'' (Doc. No. 2006N–0100) received on April 12, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6416. A communication from the Director, Regulation Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled

''New Animal Drugs; Adamantane and Neuraminidase Inhibitor Anti-influenza Drugs; Extralabel Animal Drug Use; Order of Prohibition'' (Doc. No. 2006N–0106) received on April 12, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6417. A communication from the Administrator, Office of Workforce Security, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Changes to UI Performs, Change 1, Performance Criterion for the Overpayment Detection Measure; Clarification of Appeals Timeliness Measures; and Implementation of Tax Quality Measure Corrective Action Plans (CAPs) received on April 12, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–6418. A communication from the Administrator, Small Business Administration, transmitting, pursuant to law, the Administration's Fiscal Year 2005 Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Small Business and Entrepreneurship.

EC–6419. A communication from the Coordinator, Forms Committee, Federal Election Commission, transmitting, pursuant to law, the report of revisions to the instructions for FEC Form 3X and FEC Form 9; to the Committee on Rules and Administration.

EC–6420. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Foreign Assets Control Regulations'' (31 CFR part 500) received on April 12, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–6421. A communication from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Conversion of Developments from Public Housing Stock; Methodology for Comparing Costs of Public Housing and Tenant-Based Assistance'' ((RIN2577–AC33) (FR–4718–F–02)) received on April 12, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–6422. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, a report of proposed legislation relative to the financing of a capital improvement project at the Washington Aqueduct drinking water facility; to the Committee on Environment and Public Works.

EC–6423. A communication from the Assistant Secretary, Policy Management and Budget, Department of the Interior, transmitting, pursuant to law, the Department's inventory of commercial activities and the inventory of inherently governmental activities; to the Committee on Environment and Public Works.

EC–6424. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Louisiana'' (FRL No. 8159–9) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6425. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List for Uncontrolled Hazardous Waste Sites'' ((RIN2050–AD75)(FRL No. 8159–5)) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6426. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Polychlorinated Biphenyl (PCB) Site Revitalization Guidance Under the Toxic Substances Control Act (TSCA); Notice of Availability'' (FRL No. 7687–9) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6427. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of the Clean Air Act, Section 112(I), Authority for Hazardous Air Pollutants: Perchloroethylene Air Emission Standards for Dry Cleaning Facilities: Commonwealth of Massachusetts Department of Environmental Protection'' (FRL No. 8157–9) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6428. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Finding of Substantial Inadequacy of Implementation Plan; Call for Missouri State Implementation Plan Revision'' (FRL No. 8158–7) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6429. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Notice of Availability of 'Award of Grants and Cooperative Agreements for the Special Projects and Programs Authorized by the Agency's FY 2006 Appropriations Act''' (FRL No. 8053–8) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6430. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revocation of TSCA Section 4 Testing Requirements for Certain Chemical Substances'' ((RIN2070–AD42)(FRL No. 7751–7)) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6431. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee: Revisions to Volatile Organic Compound Definition'' (FRL No. 8157–8) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6432. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Washington: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 8158–4) received on April 12, 2006; to the Committee on Environment and Public Works.

EC–6433. A communication from the Secretary, Department of Agriculture, transmitting, the report of draft legislation to authorize the Secretary of Agriculture to dispose of certain National Forest System lands and retain receipts; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6434. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyfluthrin; Pesticide Tolerance Technical Correction'' (FRL No. 7766–2) received on April 12, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6435. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sodium Metasilicate; Amendment to an Exemption from the Requirement of a Tolerance'' (FRL No. 8063–5) received on April 12, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6436. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Small Lots of Seed Without Phytosanitary Certificates'' ((RIN0579–AB78)(Doc. No. 02–119–2)) received on April 18, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6437. A communication from the Chief, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Transfer of Sugar Program Marketing Allocations'' (RIN0560–AH37) received on April 12, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6438. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Acreage Reports and Noninsured Crop Disaster Assistance Program'' (RIN0560–AG20) received on April 12, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6439. A communication from the Regulatory Contact, Information Security Oversight Office, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''National Industrial Security Program Directive No. 1'' (RIN3095–AB34) received on April 12, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–6440. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Advisory Neighborhood Commission 7D Unauthorized Check Activity''; to the Committee on Homeland Security and Governmental Affairs.

EC–6441. A communication from the Director, Tennessee Valley Authority, transmitting, pursuant to law, the Report under the Government in the Sunshine Act for calendar year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–6442. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Report under the Government in the Sunshine Act for calendar year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–6443. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the annual report which contains certain fiscal year 2005 statistical data relating to Federal sector equal employment opportunity complaints; to the Committee on Homeland Security and Governmental Affairs.

EC–6444. A communication from the Archivist of the United States, transmitting, pursuant to law, the Fiscal Year 2005 Report Concerning Commercial Activities Inventory and Inherently Governmental Inventory; to the Committee on Homeland Security and Governmental Affairs.

EC–6445. A communication from the Chairman, United States Merit System Protection Board, transmitting, pursuant to law, the report entitled ''Designing an Effective Pay for Performance Compensation System''; to the Committee on Homeland Security and Governmental Affairs.

EC–6446. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the annual Selected Acquisition Reports (SARs) for the quarter ending December 31, 2005; to the Committee on Armed Services.

EC–6447. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, (25) reports relative to vacancy announcements within the Department, received on April 12, 2006; to the Committee on Armed Services.

EC–6448. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Incentive Program for Purchase of Capital Assets Manufactured in the United States'' (DFARS Case 2005–D003) received on April 12, 2006; to the Committee on Armed Services.

EC–6449. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (12) officers authorized to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6450. A communication from the Acting Principal Deputy for Personnel and Readiness, Office of the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, a report of the closure of the Defense commissary store at Camp Hialeah, South Korea by July 31, 2006; to the Committee on Armed Services.

EC–6451. A communication from the Acting Principal Deputy for Personnel and Readiness, Office of the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, a report of the closure of the Defense commissary store at Bad Kissingen (Daley Village Army housing area), Germany by July 14, 2006; to the Committee on Armed Services.

EC–6452. A communication from the Assistant Secretary of Defense, Reserve Affairs, transmitting, pursuant to law, the Department's STARBASE Program 2005 Annual Report; to the Committee on Armed Services.

EC–6453. A communication from the Acting General Counsel, Office of General Counsel, Department of Defense, transmitting the report of proposed legislation relative to amending Section 1206 of the National Defense Authorization Act for Fiscal Year 2006; to the Committee on Armed Services.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW:

S. 2636. A bill to provide an immediate Federal income tax rebate to help taxpayers with higher fuel costs, and for other purposes; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. 2637. A bill to suspend temporarily the duty on 1, 4-Benzoquinone; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. 2638. A bill to suspend temporarily the duty on 2-Methylhydroquinone; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. 2639. A bill to suspend temporarily the duty on o-Anisidine; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. 2640. A bill to suspend temporarily the duty on Benzoic acid 3,4,5-trihydroxy-, propyl ester; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. 2641. A bill to suspend temporarily the duty on 2,4-Xylidine; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Ms. SNOWE, Mr. LEVIN, Ms. CANTWELL, Ms. MIKULSKI, Mrs. BOXER, and Mr. HARKIN):

S. 2642. A bill to amend the Commodity Exchange Act to add a provision relating to reporting and recordkeeping for positions involving energy commodities; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BINGAMAN (for himself, Mr. SMITH, Mr. BAUCUS, Mr. JOHNSON, Mrs. FEINSTEIN, Mr. FEINGOLD, Mrs. MURRAY, Mr. SALAZAR, Ms. CANTWELL, and Mr. INOUYE):

S. 2643. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that Indian tribes are eligible to receive grants for confronting the use of methamphetamine; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. GRAHAM, and Mr. FRIST):

S. 2644. A bill to harmonize rate setting standards for copyright licenses under sections 112 and 114 of title 17, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. ALLEN (for himself and Mr. WARNER):

S. 2645. A bill to establish the Journey Through Hallowed Ground National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KERRY:

S. 2646. A bill to create a 3-year pilot program that makes small, nonprofit child care businesses eligible for loans under title V of the Small Business Investment Act of 1958; to the Committee on Small Business and Entrepreneurship.

By Mr. THOMAS (for himself and Mr. ENZI):

S. 2647. A bill to suspend temporarily the duty on certain acrylic fiber tow imported in the form of 6 sub-bundles; to the Committee on Finance.

By Mr. THOMAS (for himself and Mr. ENZI):

S. 2648. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Finance.

By Mrs. BOXER (for herself, Mr. WYDEN, and Mrs. FEINSTEIN):

S. 2649. A bill to direct the Secretary of Commerce to provide emergency disaster assistance to mitigate the economic losses caused by the declining Klamath River salmon and to develop and implement a research and recovery plan for Klamath River salmon, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DEMINT (for himself and Mr. GRAHAM):

S. 2650. A bill to designate the Federal courthouse to be constructed in Greenville, South Carolina, as the ''Carroll A. Campbell, Jr. Federal Courthouse.''; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself and Mr. DEWINE):

S. 2651. A bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself, Ms. COLLINS, and Mr. REED):

S.J. Res. 34. A joint resolution expressing United States policy on Iraq; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself, Mr. BIDEN, and Mr. LEAHY):

S. Res. 441. A resolution expressing the support of the Senate for the reconvening of the Parliament of Nepal and for an immediate, peaceful transition to democracy; to the Committee on Foreign Relations.

By Mr. COLEMAN:

S. Res. 442. A resolution expressing the deep disappointment of the Senate with respect to the election of Iran to a leadership position in the United Nations Disarmament Commission and requesting the President to withhold funding to the United Nations unless credible reforms are made; to the Committee on Foreign Relations.

By Mr. FRIST (for himself and Mr. REID):

S. Res. 443. A resolution relative to the death of Francis R. Valeo, former Secretary of the Senate; considered and agreed to.

By Mr. SMITH (for himself, Mrs. FEINSTEIN, and Mrs. DOLE):

S. Res. 444. A resolution commemorating the 100th anniversary of the founding of the American Jewish Committee; considered and agreed to.

By Mr. SANTORUM (for himself, Mr. LIEBERMAN, Mr. NELSON of Florida, Mr. VOINOVICH, Mr. INHOFE, Mr. ENSIGN, Ms. SNOWE, Mr. BROWNBACK, Mr. ALLEN, Mrs. FEINSTEIN, Mr. DEWINE, Mr. LEVIN, Mr. CHAFEE, Mr. FRIST, Mr. LAUTENBERG, Mr. BURNS, Mr. SPECTER, Mr. HAGEL, Mr. THOMAS, Mr. WARNER, Mrs. DOLE, Mr. CRAPO, Mr. TALENT, and Mr. SUNUNU):

S. Res. 445. A resolution expressing the sense of the Senate in commemorating Holocaust Remembrance Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 351

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 351, a bill to amend title XVIII of the Social Security Act to provide for patient protection by limiting the number of mandatory overtime hours a nurse may be required to work in certain providers of services to which payments are made under the Medicare Program.

S. 440

At the request of Mr. BUNNING, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 440, a bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the medicaid program.

S. 633

At the request of Mr. JOHNSON, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 633, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became

disabled for life while serving in the Armed Forces of the United States.

S. 713

At the request of Mr. ROBERTS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 713, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 908

At the request of Mr. MCCONNELL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 908, a bill to allow Congress, State legislatures, and regulatory agencies to determine appropriate laws, rules, and regulations to address the problems of weight gain, obesity, and health conditions associated with weight gain or obesity.

S. 912

At the request of Mr. FEINGOLD, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 912, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.

S. 914

At the request of Mr. ALLARD, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 914, a bill to amend the Public Health Service Act to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 1086

At the request of Mr. HATCH, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 1086, a bill to improve the national program to register and monitor individuals who commit crimes against children or sex offenses.

S. 1440

At the request of Mr. CRAPO, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from New York (Mrs. CLINTON) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1440, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 1515

At the request of Mr. INOUYE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1515, a bill to amend title XIX of the Social Security Act to improve access to advanced practice nurses and physician assistants under the Medicaid Program.

S. 1531

At the request of Mr. ENZI, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1531, a bill to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls.

S. 1801

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1801, a bill to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes.

S. 1906

At the request of Mr. DEWINE, his name was added as a cosponsor of S. 1906, a bill to amend the Internal Revenue Code of 1986 to exclude property tax rebates and other benefits provided to volunteer firefighters, search and rescue personnel, and emergency medical responders from income and employment taxes and wage withholding.

S. 1998

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

S. 2010

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2010, a bill to amend the Social Security Act to enhance the Social Security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 2076

At the request of Mr. HATCH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2076, a bill to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers.

S. 2140

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 2140, a bill to enhance protection of children from sexual exploitation by strengthening section 2257 of title 18, United States Code, requiring producers of sexually explicit material to keep and permit inspection of records regarding the age of performers, and for other purposes.

S. 2181

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2181, a bill to amend title XIX of the Social Security Act to provide for an offset from the Medicaid clawback for State prescription drug expenditures for covered part D drugs for Medicare beneficiaries.

S. 2251

At the request of Mr. WYDEN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2251, a bill to amend the Energy Policy Act of 2005 to repeal the ultra-deepwater and unconventional onshore natural gas and other petroleum research and development program.

S. 2321

At the request of Mr. SANTORUM, the names of the Senator from Missouri (Mr. BOND) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Pennsylvania (Mr. SPECTER), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 2370, a bill to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes.

S. 2399

At the request of Mr. CARPER, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2399, a bill to prohibit termination of employment of volunteers firefighters and emergency medical personnel responding to emergencies, and for other purposes.

S. 2409

At the request of Mr. SMITH, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2409, a bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals.

S. 2414

At the request of Mr. BAYH, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2414, a bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes.

S. 2422

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 2422, a bill to establish a Conservation and Habitat Restoration Fund and to require the Secretary of Commerce to provide grants to States for coastal zone management, coastal wetlands conservation, coastal land protection, and fisheries habitat restoration, and to improve understanding of coastal areas, and for other purposes.

S. 2487

At the request of Mr. CRAIG, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2487, a bill to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing

the competitiveness of United States-grown specialty crops.

S. 2493

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2493, a bill to provide for disclosure of fire safety standards and measures with respect to campus buildings, and for other purposes.

S. 2548

At the request of Mr. STEVENS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2548, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

S. 2556

At the request of Mr. BAYH, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2556, a bill to amend title 11, United States Code, with respect to reform of executive compensation in corporate bankruptcies.

S. 2557

At the request of Mr. SPECTER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2557, a bill to improve competition in the oil and gas industry, to strengthen antitrust enforcement with regard to industry mergers, and for other purposes.

S. 2562

At the request of Mr. CRAIG, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 2562, a bill to increase, effective as of December 1, 2006, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 2563

At the request of Mr. COCHRAN, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from North Carolina (Mrs. DOLE), the Senator from Kansas (Mr. ROBERTS) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 2563, a bill to amend title XVIII of the Social Security Act to require prompt payment to pharmacies under part D, to restrict pharmacy co-branding on prescription drug cards issued under such part, and to provide guidelines for Medication Therapy Management Services programs offered by prescription drug plans and MA–PD plans under such part.

S. 2593

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2593, 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.

S. 2617

At the request of Mr. LAUTENBERG, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2617, a bill to amend title 10, United States Code, to limit increases in the costs to retired members of the Armed Forces of health care services under the TRICARE program, and for other purposes.

S. RES. 182

At the request of Mr. BUNNING, his name was added as a cosponsor of S. Res. 182, a resolution supporting efforts to increase childhood cancer awareness, treatment, and research.

S. RES. 313

At the request of Ms. CANTWELL, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. Res. 313, a resolution expressing the sense of the Senate that a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and to educate the public on ways to help prevent the use of that damaging narcotic.

S. RES. 409

At the request of Mr. NELSON of Florida, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. Res. 409, a resolution supporting democracy, development, and stabilization in Haiti.

S. RES. 439

At the request of Mr. DODD, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. Res. 439, a resolution designating the third week of April 2006 as ''National Shaken Baby Syndrome Awareness Week''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mr. SMITH, Mr. BAUCUS, Mr. JOHNSON, Mrs. FEINSTEIN, Mr. FEINGOLD, Mrs. MURRAY, Mr. SALAZAR, Ms. CANTWELL, and Mr. INOUYE):

S. 2643. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that Indian tribes are eligible to receive grants for confronting the use of methamphetamine; to the Committee on the Judiciary.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Native American Meth Enforcement and Treatment Act of 2006.

Unfortunately, when Congress passed the Combat Methamphetamine Epidemic Act, tribes were unintentionally left out as eligible applicants in some of the newly-authorized grant programs. The bill I am introducing today, along with Senators SMITH, BAUCUS, CANTWELL, INOUYE, JOHNSON, FEINSTEIN, FEINGOLD, MURRAY, and SALAZAR, would simply ensure that tribes are able to apply for these funds and give Native American communities the resources they need to fight scourge of methamphetamine use.

The recently-enacted Combat Methamphetamine Epidemic Act of 2005 authorized new funding for three grant programs. The Act authorized $99 million in new funding for the COPS Hot Spots program, which helps local law enforcement agencies obtain the tools they need reduce the production, distribution, and use of meth. Funding may also be used to clean up meth labs, support health and environmental agencies, and to purchase equipment and support systems.

The Act also authorized $20 million for a Drug-Endangered Children grant program to provide comprehensive services to assist children who live in a home in which meth has been used, manufactured, or sold. Under this program, law enforcement agencies, prosecutors, child protective services, social services, and health care services, work together to ensure that these children get the help they need.

In addition, the Combat Meth Act authorized grants to be made to address the use of meth among pregnant and parenting women offenders. The Pregnant and Parenting Offenders program is aimed at facilitating collaboration between the criminal justice, child welfare, and State substance abuse systems in order to reduce the use of drugs by pregnant women and those with dependent children.

Although tribes are eligible applicants under the Pregnant and Parenting Offenders program, they were not included as eligible applicants under either the Hot Spots program or the Drug-Endangered Children program. I see no reason why tribes should not be able to access all of these funds.

Meth use has had a devastating impact in communities throughout the country, and Indian Country is no exception. Last month there was an article in the Gallup Independent newspaper about a Navajo grandmother, her daughter, and granddaughter, who were all arrested for selling meth. There was also a one-year-old child in the home when police executed the arrest warrant. It is absolutely disheartening to hear about cases such as this, with three generations of a family destroyed by meth.

I strongly believe that we need to do everything we can to assist communities as they struggle to deal with the consequences of meth, and ensuring that Native American communities are able to access these funds is an important first step. I hope my colleagues will join me in supporting this important measure.

By Mrs. FEINSTEIN (for herself, Mr. GRAHAM, and Mr. FRIST):

S. 2644. A bill to harmonize rate setting standards for copyright licenses under sections 112 and 114 of title 17, United States Code, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am pleased to introduce the Platform Equality and Remedies for Rights-holders in Music Act, or the PERFORM Act, along with Senators GRAHAM and FRIST.

The need to protect creative works has been an important principle recognized in our country since its inception.

The founding fathers accurately understood the importance of intellectual property by including protective language in our Constitution, and in doing so they established a principle that would stand the test of time.

However, they could not have predicted that the path of innovation would eventually produce the amazing new technologies that we now take for granted.

While many of us still enjoy traditional analog radio, this, too, is rapidly changing. We now have music radio programs provided over the Internet, cable, and satellites. Even traditional radio is changing with the advent of new digital radio.

With the entry into the marketplace of these new music providers consumers are receiving the songs and artists they enjoy in new and innovative ways.

Yet, as these new business models and technologies are developed we must ensure that the artists and musicians who create and perform the music continue to be fairly compensated for their works.

Unfortunately, some of the new innovations have been used to supplant music sales and avoid fair compensation to the songwriters and performers.

From 1999 to 2004, total music sales have declined by 30 percent. Over the same period, CD sales declined 18 percent. The decline continued in 2005 as total album sales fell 7.2 percent year-over-year.

Some of this decline is due to outdated business models and competition from other entertainment products, some due to illegal actions and piracy, and some is due to outdated music licensing laws.

I believe our laws must strike the proper balance between fostering new business models and technology and protecting the property rights of the artists whose music is being broadcast.

I strongly support advancements in technology and I encourage ingenuity. The birth of the digital music place has been a boon for businesses and consumers. It is important that these new forums succeed and grow.

However, these new technologies and business models have become so advanced that the clear lines between a listening service and a reproduction and copying service has been blurred.

Historically, a radio service simply allowed music to be performed and listened to by an audience. However, many new services using the new digital transmissions and new technological devices have allowed consumers to also record, manipulate, and collect individual music play-lists off their radio-like services.

Thus, what was once a passive listening experience has turned into a forum where consumers can record, manipulate, reprogram and save songs to create their own personalized playlists.

As the modes of distribution change and the technologies change, so must our laws change. The government granted a compulsory license for radio-like services by Internet, cable, and satellite providers in order to encourage competition and new products.

However, as new innovations alter their services from a performance to a distribution the law must respond.

In addition, as the changing technology evolves, the distinctions between the services become less and less, and the differences in how they are treated under the statutory license make less sense.

Therefore I am introducing a bill that will begin to fix the inequities currently in the statute and open the door to further debate about additional issues that need to be addressed.

The bill I am introducing today with Senators GRAHAM and FRIST would: create rate parity—all companies covered by the government license created in Section 114 would be required to pay a fair market value for use of music libraries rather than having different rate standards apply based on what medium is being used to transmit the music; and establish content protection—all companies would be required to use reasonably available, technologically feasible, and economically reasonable means to prevent music theft. In addition, a company may not provide a recording device to a customer that would allow him or her to create their own personalized music library that can be manipulated and maintained without paying a reproduction royalty.

This does not mean such devices cannot be made or distributed. It simply means that the business must negotiate the payment for the music through the market rather than under the statutory license.

The bill also contains language to make sure that consumers' current recording habits are not inhibited. Therefore, any recording the consumer chooses to do manually will still be allowed. In addition, if the device allows the consumer to manipulate music by program, channel, or time period that would still be allowable under the statutory license.

For example, if a listener chooses to automatically record a news station every morning at 9:00; a jazz station every afternoon at 2:00; a blues station every Friday at 3:00; and a talk radio show every Saturday at 4:00; that would be allowable. In addition, that listener could then use their recording device to move these programs so that all programs of the same genre are back to back.

What a listener cannot do is set a recording device to find all the Frank Sinatra songs being played on the radio-service and only record those songs. By making these distinctions this bill supports new business models and technologies without harming the songwriters and performers in the process.

Unfortunately, anytime legislation is introduced there is a lot of misinformation about what it does. Often criticisms are lobbed without reviewing the actual text of the bill. So, let me be clear about some of the concerns I have heard.

The bill would not apply to over-the-air broadcasting. Terrestrial radio, i.e. traditional radio distributed by the broadcasters is not covered under this bill. This legislation only covers businesses that are under the 114 license—Internet, cable, and satellite.

The only application to broadcasters would be if they were to act as webcasters and simulcast their programs over the Internet, in which case they would be treated the same as all other Internet radio providers.

The bill would not inhibit technological advances. It would place limits on the types of recording devices cable, Internet and satellite providers may offer, IF they want to enjoy the benefit of a government license.

If, however, a company wants to offer new technologies that allow for manipulation of music so that a consumer may create their own music libraries, similar to a downloading service, they may. There is nothing in this bill prohibiting the use or creation of new technologies the company would simply lose the benefit of a government license.

The bill simply states that if a company wants to change its service from a performance to a distribution then they no longer are covered by the government license and must go to the record companies directly to negotiate a licensing agreement through the market.

The bill would not be discriminatory. Some argue that changing the rates or establishing content protection is discriminatory. However, under current law some businesses are required to pay higher licensing rates than others even though they provide essentially the same services.

In addition, if a new satellite company were to be formed today they would be required to pay a higher rate than the current two companies in the market—that is not fair. Instead this bill would establish the same rates and protections for all companies.

The argument that this bill is discriminatory ignores the inequities of current law as it applies to Internet, cable, old and new satellite providers and instead focuses on the differences between these new radio providers versus terrestrial or traditional over-the-air radio.

The argument is that there are already devices available and new technologies that allow consumers to capture and manipulate music being played by over-the-air broadcasters. Yet this bill does not apply to broadcasters and instead only applies to Internet, cable and satellite.

The conclusion being that by not covering broadcasters we are giving them a free pass and being unfair to the new businesses.

While the obvious argument is that the Judiciary Committee does not have jurisdiction to regulate over-the-air broadcasters, I think it is important to acknowledge that the Commerce Committee is actively looking into this issue right now. In addition, I am aware that there are active negotiations occurring between broadcasters and the record labels to develop similar protections for their services.

Thus, while some may be frustrated that jurisdiction may lie in different committees, efforts are on-going in each to address these issues. I do not believe we, in the Judiciary Committee, should wait and do nothing to protect artists and songwriters simply because the Commerce Committee has not yet moved legislation to deal with the same concern for terrestrial radio.

Having said that, let me be clear, this is the beginning of a process to address a very specific problem. I believe that as the process unfolds there will be additional improvements or other issues that may need to be added.

Already, some have raised questions about language in the bill and additional modifications to Section 114 that I believe should be looked at more closely.

I understand there is some concern about what fair market value means, especially under a government licensing scheme where there is not an actual competitive market. I think it makes sense to look into this issue and see if there is a definition that can be developed.

In doing this, I believe we should look at all the different models that have been used. We should look at what the courts have held, what the copyright office has used, what a real competitive market would entail, as well as other factors that may not have been considered.

The bill as introduced does not address the other conditions applied to Internet, cable, and satellite services in order for them to get the benefit of the statutory license. The one that I am most concerned with is interactivity.

I think there is real confusion about what is and what is not allowed under the current statute. How much personalization and customization may these new services offer?

Currently licensing rates are higher for interactive services. However, there are clear disagreements as to what constitutes an interactive service.

I tried to have the parties meet to negotiate a solution to this issue so that we could include new language this in the bill.

However, after two weeks and hours and hours of negotiations the parties were so far apart that a solution could not be reached. Despite this, I still believe this is an important issue that must be addressed.

Therefore, I put a placeholder in the bill that calls for the copyright office to make recommendations to Congress, but I am hopeful that through the process of moving this bill through the Senate we can develop a solution sooner rather than later.

I am hopeful that the parties will again meet and try to develop a compromise, however, if that does not occur I may try to work with my colleagues to develop a legislative solution independently.

Finally, some have raised concerns that applying content protection to all providers is unfair. They argue that if there is no connection between the distributor of the music and the technology provider that allows for copying and manipulating of performances then they should not be required to protect the music that they broadcast.

In general, I do not agree. We know that there are websites out there now that provide so-called stream-ripping services that allow an individual to steal music off an Internet webcast. It is not enough to turn a blind eye to this type of piracy and do nothing simply because there is no formal connection between the businesses.

At the same time, I am sympathetic to the concerns that if the type of technology a company uses is inadequate or ineffective, through no fault of their own, they can be saddled with huge mandatory penalties. I am willing to look at this issue more closely and see if there is some way to address this concern and find a compromise solution.

As I have said, this is the beginning of the process. I think this legislation is a good step forward in addressing a real problem that is occurring in the music industry.

Changes or additions may be necessary as the bill moves forward, but I believe to wait and do nothing does a disservice to all involved.

Music is an invaluable part of all of our lives. The new technologies and changing delivery systems provide exciting new options for all consumers. As we continue to move forward into new frontiers we must ensure that our laws can stand the test of time.

I look forward to working with my colleagues to pass this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD along with letters of support for the legislation.

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

S. 2644

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Platform Equality and Remedies for Rights Holders in Music Act of 2006'' or the ''Perform Act of 2006''.

SEC. 2. RATE SETTING STANDARDS.

(a) SECTION 112 LICENSES.—Section 112(e)(4) of title 17, United States Code, is amended in the third sentence by striking ''fees that would have been negotiated in the marketplace between a willing buyer and a willing seller'' and inserting ''the fair market value of the rights licensed under this subsection''.

(b) SECTION 114 LICENSES.—Section 114(f) of title 17, United States Code, is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively; and

(3) in paragraph (1) (as redesignated under this subsection)—

(A) in subparagraph (A), by striking all after ''Proceedings'' and inserting ''under chapter 8 shall determine reasonable rates and terms of royalty payments for transmissions during 5-year periods beginning on January 1 of the second year following the year in which the proceedings are to be commenced, except where a different transitional period is provided under section 6(b)(3) of the Copyright Royalty and Distribution Reform Act of 2004, or such other period as the parties may agree.'';

(B) in subparagraph (B)—

(i) in the first sentence, by striking ''affected by this paragraph'' and inserting ''under this section'';

(ii) in the second sentence, by striking ''eligible nonsubscription transmission''; and

(iii) in the third sentence—

(I) by striking ''eligible nonsubscription services and new subscription''; and

(II) by striking ''rates and terms that would have been negotiated in the marketplace between a willing buyer and a willing seller'' and inserting ''the fair market value of the rights licensed under this section'';

(iv) in the fourth sentence, by striking ''base its'' and inserting ''base their'';

(v) in clause (i), by striking ''and'' after the semicolon;

(vi) in clause (ii), by striking the period and inserting ''; and'';

(vii) by inserting after clause (ii) the following:

''(iii) the degree to which reasonable recording affects the potential market for sound recordings, and the additional fees that are required to be paid by services for compensation.''; and

(viii) in the matter following clause (ii), by striking ''described in subparagraph (A)''; and

(C) by striking subparagraph (C) and inserting the following:

''(C) The procedures under subparagraphs (A) and (B) shall also be initiated pursuant to a petition filed by any copyright owners of sound recordings or any transmitting entity indicating that a new type of service on which sound recordings are performed is or is about to become operational, for the purpose of determining reasonable terms and rates of royalty payments with respect to such new type of service for the period beginning with the inception of such new type of service and ending on the date on which the royalty rates and terms for preexisting subscription digital audio transmission services, eligible nonsubscription services, or new subscription services, as the case may be, most recently determined under subparagraph (A) or (B) and chapter 8 expire, or such other period as the parties may agree.''.

(c) CONTENT PROTECTION.—Section 114(d)(2) of title 17, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by striking ''and'' after the semicolon;

(B) in clause (iii), by adding ''and'' after the semicolon; and

(C) by adding after clause (iii) the following:

''(iv) the transmitting entity takes no affirmative steps to authorize, enable, cause or induce the making of a copy or phonorecord by or for the transmission recipient and uses technology that is reasonably available, technologically feasible, and economically reasonable to prevent the making of copies or phonorecords embodying the transmission in whole or in part, except for reasonable recording as defined in this subsection;'';

(2) in subparagraph (C)—

(A) by striking clause (vi); and

(B) by redesignating clauses (vii) through (ix) as clauses (vi) through (viii), respectively; and

(3) by adding at the end the following:

''For purposes of subparagraph (A)(iv), the mere offering of a transmission and accompanying metadata does not in itself authorize, enable, cause, or induce the making of a phonorecord. Nothing shall preclude or prevent a performing rights society or a mechanical rights organization, or any entity owned in whole or in part by, or acting on behalf of, such organizations or entities, from monitoring public performances or other uses of copyrighted works contained in such transmissions. Any such organization or entity shall be granted a license on either a gratuitous basis or for a de minimus fee to cover only the reasonable costs to the licensor of providing the license, and on reasonable, nondiscriminatory terms, to access and retransmit as necessary any content contained in such transmissions protected by content protection or similar technologies, if such licenses are for purposes of carrying out the activities of such organizations or entities in monitoring the public performance or other uses of copyrighted works, and such organizations or entities employ reasonable methods to protect any such content accessed from further distribution.''.

(d) DEFINITION.—Section 114(j) of title 17, United States Code, is amended—

(1) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(2) by inserting after paragraph (9) the following:

''(10)(A) A 'reasonable recording' means the making of a phonorecord embodying all or part of a performance licensed under this section for private, noncommercial use where technological measures used by the transmitting entity, and which are incorporated into a recording device—

''(i) permit automated recording or playback based on specific programs, time periods, or channels as selected by or for the user;

''(ii) do not permit automated recording or playback based on specific sound recordings, albums, or artists;

''(iii) do not permit the separation of component segments of the copyrighted material contained in the transmission program which results in the playback of a manipulated sequence; and

''(iv) do not permit the redistribution, retransmission or other exporting of a phonorecord embodying all or part of a performance licensed under this section from the device by digital outputs or removable media, unless the destination device is part of a secure in-home network that also complies with each of the requirements prescribed in this paragraph.

''(B) Nothing in this paragraph shall prevent a consumer from engaging in non-automated manual recording and playback in a manner that is not an infringement of copyright.''.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 114.—Section 114(f) of title 17, United States Code (as amended by subsection (b) of this section), is further amended—

(A) in paragraph (1)(B), in the first sentence, by striking ''paragraph (3)'' and inserting ''paragraph (2)''; and

(B) in paragraph (4)(C), by striking ''under paragraph (4)'' and inserting ''under paragraph (3)''.

(2) SECTION 804.—Section 804(b)(3)(C) of title 17, United States Code, is amended—

(A) in clause (i), by striking ''and 114(f)(2)(C)''; and

(B) in clause (iv), by striking ''or 114(f)(2)(C), as the case may be''.

SEC. 3. REGISTER OF COPYRIGHTS MEETING AND REPORT.

(a) MEETING.—Not later than 60 days after the Copyright Royalty Board's final determination in Docket No. 2005–1 CRB DTRA, the Register of Copyrights shall convene a meeting among affected parties to discuss whether to recommend creating a new category of limited interactive services, including an appropriate premium rate for such services, within the statutory license contained in section 114 of title 17, United States Code.

(b) REPORT.—Not later than 90 days after the convening of the meeting under subsection (a), the Register of Copyrights shall submit a report on the discussions at that meeting to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

NATIONAL MUSIC PUBLISHERS' ASSOCIATION WELCOMES INTRODUCTION OF THE PERFORM ACT

April 25, 2006.—National Music Publishers' Association President and CEO David Israelite today released the following statement regarding the Platform Equality and Remedies for Rights-holders in Music Act, or the ''PERFORM Act,'' new legislation to protect songwriters and music publishers while encouraging the growth of digital radio:

''The National Music Publishers' Association supports this important legislation, which will protect music as it is transmitted over digital radio, It is crucial that Congress update antiquated copyright laws in these days of rapidly emerging technologies.''

''The songs we love and their creators need to be protected under the law. By passing the PERFORM Act, Congress will make certain that songwriters, music publishers and other members of the music community are compensated for their intellectual property.''

''Platforms like High Definition and Satellite radio should be able to thrive and expand, but not at the expense of those who worked so hard to create the music that fans crave. Ultimately, this bill will allow the consumer more ways than ever to get high-quality digital music, while fostering an environment that will lead to the creation of more music.''

''The NMPA applauds Sen. DIANNE FEINSTEIN (D-CA) and Sen. LINDSEY GRAHAM (R-SC) for their efforts on the behalf of music Publishers, songwriters and music fans everywhere.''

NEW BIPARTISAN SENATE BILL LEVELS DIGITAL MUSIC PLAYING FIELD, ASSURES SATELLITE FIRMS PLAY BY SAME RULES AS OTHERS

MEMBERS OF MUSIC COMMUNITY HAIL BILL, SAYS WILL HELP ENSURE THAT ARTISTS AND SONGWRITERS FAIRLY PAID

WASHINGTON, APRIL 25, 2006—The Recording Industry Association of America (RIAA) today hailed the introduction of new legislation to level the playing field for digital radio as a major step forward in the music industry's drive for parity among digital music services. The bill—introduced today by Sens. DIANNE FEINSTEIN (D-CA) and LINDSEY GRAHAM (R-SC)—would reform the appropriate section of copyright law to assure satellite services play by the same rules as Internet music services—both in rate setting and content protection standards.

''There is a critical need for the government to harmonize the current protections and rate regimes that make for the haphazard patchwork covering digital music services today,'' said RIAA Chairman and CEO Mitch Bainwol. ''This patchwork is allowing satellite radio to morph into something altogether different—a digital distribution service—with the creators of music left in the lurch. This legislation seeks to right that wrong and ensure a marketplace where fair competition can thrive. We're extremely grateful for the leadership of Senators FEINSTEIN and GRAHAM. This bill moves us far closer to achieving the platform parity that is so key to the health of the music industry in years to come.''

The digital music marketplace is undergoing a convergence across all platforms—a convergence creating arbitrary advantages for certain services over others at the expense of creators. While offering great opportunities for the music community, satellite broadcasters and music fans, the convergence of radio-like services and downloading capability requires changes in the law to protect against a satellite company transforming its model into a download service without the appropriate license.

The RIAA and others in the music community have made it clear that satellite radio services should be required to obtain a license in the marketplace to offer the capability to cherry pick individual songs and then permanently store them in a digital library. Legislation—such as the Feinstein-Graham bill—is needed to ensure that satellite services play by the same set of rules everyone else does and not profit from becoming a download/subscription model without acquiring the appropriate license and compensating artists and songwriters.

Because traditional terrestrial radio is not covered by the government license or this legislation, private market negotiations on measures to similarly protect high-definition (HD) radio are currently in progress. The RIAA has also praised the introduction of legislation by Rep. MIKE FERGUSON (R-NJ) that requires users of free government spectrum to protect content delivered through HD radio receivers through private market agreements.

By Mr. KERRY:

S. 2646. A bill to create a 3-year pilot program that makes small, nonprofit child care businesses eligible for loans under title V of the Small Business Investment Act of 1958; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, as Congress comes back in session for a five-week work period, it is high time we put partisan bickering aside and take up real issues that will improve the lives of America's hard-working families. Today, I rise to address one such problem—the growing shortage of quality child care for our country's future generations. Over the past 50 years, the United States has witnessed a 43 percent increase in the number of dual-

earner and single-parent families. Furthermore, the Census Bureau estimates that more than six million children are left home alone on a regular basis. Nationwide, more households than ever are struggling to make ends meet, while providing safe, nurturing environments for their children to grow up in. For many, child care is not a choice, but a necessity in this endeavor. That is why we owe it to our Nation's families to increase the availability of quality child care—because strong, healthy families build a stronger America.

As the Ranking Member on the Senate Committee on Small Business and Entrepreneurship, I firmly believe that we can work with the Small Business Administration (SBA) to cultivate and expand existing child care facilities. In light of this, I rise today to introduce the Child Care Lending Pilot Act of 2006, which establishes a three-year pilot program enabling small, non-profit child care businesses to be eligible for the SBA's 504 loans.

With affordable fixed low interest rates and long terms, 504 loans play a vital role in spurring economic development and the rebuilding of communities. Current law permits for-profit child care small businesses to finance building repairs and expand existing facilities through these 504 loans. However, their non-profit counterparts are unable to access the same financing through the SBA. Given that the majority of child care centers in many States across the country operate as non-profits, this system is shutting out the lion's share of facilities from obtaining necessary funds to provide quality care for the families they serve. The Child Care Lending Pilot Act of 2006 reverses this trend. By allowing non-profit child care businesses to apply for 504 lending, the legislation enables these entities to put down only 10 to 20 percent of the loan with a term of up to 20 years. With low, predictable monthly payments, these non-profit centers can then invest in the families they provide services to, by updating and improving their buildings and materials without breaking the bank or raising fees.

Since the industry is not high-earning overall, a majority of child care centers do not have an abundance of easily accessible capital. Proposals that call for centers to simply charge less or cut back on employees are not the way to make child care more affordable for families and do not serve in the children's best interests. An adequate staff is crucial in ensuring that children receive proper supervision and support to foster their development and learning. Furthermore, if centers are asked to decrease operating costs in order to lower costs absorbed by families, the safety and quality of the child care provided would most likely be in jeopardy.

In recent years, the Children's Defense Fund estimated that in all but one State, the average annual cost of child care in urban area child care centers is more than the average annual cost of public college tuition. Additionally, they projected that child care can easily cost between $4,000 to $10,000 per year in cities and States across the Nation. Clearly, these high costs pose virtually insurmountable hurdles for low-income families in need of quality care for their children. Although many States have implemented grant and loan programs to help these child care small businesses, more must be done—not only to improve the quality of care, but also the overall supply of child care facilities for the Nation's neediest families.

I urge my colleagues to support this important legislation and allow non-profit child care providers to access SBA 504 financing for their facilities and the children they serve. Funded entirely through fees, this legislation requires no appropriation. Additionally, it is consistent with the three-year SBA reauthorization cycle. This legislation is the product of work on this issue in both the 107th and 108th Congresses. Similar legislation was introduced in 2002, S. 2891, however the four year provision made this program inconsistent with the cycle of SBA reauthorization. To remedy this, I reintroduced the measure in 2003 as S. 822, making the act a three-year pilot program consistent with the cycle of reauthorization. This pilot program was also part of the larger Senate Small Business reauthorization legislation in the last Congress, S. 1375. Unfortunately, this innovative proposal to expand child care, which had bipartisan support, was cut out of the final authorization package when a scaled-back version of the reauthorization legislation, without most Democratic initiatives, was added to the FY2005 omnibus appropriations bill.

Although there is no quick-fix solution for the Nation's child care shortage and lack of quality facilities, this bill marks an important step in the right direction by allowing non-profit child care centers to receive SBA loans. I hope that my colleagues on both sides of the aisle will recognize the vital role that early education plays in the development of fine minds and productive citizens, and realize that in this great Nation, child care should be available to all families in all income brackets. The Child Care Lending Pilot Act of 2006 is a sound investment in our Nation's future—our children.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2646

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

SECTION 1. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This Act may be cited as the ''Child Care Lending Pilot Act of 2006''.

(b) DEFINITIONS.—In this Act—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively; and

(2) the term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 2. CHILD CARE LENDING PILOT PROGRAM.

Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''The Administration'' and inserting the following:

''(a) AUTHORIZATION.—The Administration'';

(B) by striking ''and such loans'' and inserting ''. Such loans'';

(C) by striking '': *Provided, however*, That the foregoing powers shall be subject to the following restrictions and limitations:'' and inserting a period; and

(D) by adding at the end the following:

''(b) RESTRICTIONS AND LIMITATIONS.—The authority under subsection (a) shall be subject to the following restrictions and limitations:''; and

(2) in paragraph (1)—

(A) by inserting after ''USE OF PROCEEDS.—'' the following:

''(A) IN GENERAL.—;'' and

(B) by adding at the end the following:

''(B) LOANS TO SMALL, NONPROFIT CHILD CARE BUSINESSES.—

''(i) IN GENERAL.—Notwithstanding subsection (a)(1), the proceeds of any loan described in subsection (a) may be used by the certified development company to assist a small, nonprofit child care business, if—

''(I) the loan is used for a sound business purpose that has been approved by the Administration;

''(II) each such business meets all of the same eligibility requirements applicable to for-profit businesses under this title, except for status as a for-profit business;

''(III) 1 or more individuals has personally guaranteed the loan;

''(IV) each such business has clear and singular title to the collateral for the loan; and

''(V) each such business has sufficient cash flow from its operations to meet its obligations on the loan and its normal and reasonable operating expenses.

''(ii) LIMITATION ON VOLUME.—Not more than 7 percent of the total number of loans guaranteed in any fiscal year under this title may be awarded under this subparagraph.

''(iii) DEFINED TERM.—For purposes of this subparagraph, the term 'small, nonprofit child care business' means an establishment that—

''(I) is organized in accordance with section 501(c)(3) of the Internal Revenue Code of 1986;

''(II) is primarily engaged in providing child care for infants, toddlers, pre-school, or pre-kindergarten children (or any combination thereof), and may provide care for older children when they are not in school, and may offer pre-kindergarten educational programs;

''(III) including its affiliates, has tangible net worth that does not exceed $7,000,000, and has average net income (excluding any carryover losses) for the 2 completed fiscal years preceding the application that does not exceed $2,500,000; and

''(IV) is licensed as a child care provider by the State, the insular area, or the District of Columbia in which it is located.

''(iv) SUNSET PROVISION.—This subparagraph shall remain in effect until September 30, 2009, and shall apply to all loans authorized under this subparagraph that are applied for, approved, or disbursed during the period beginning on the date of enactment of this subparagraph and ending on September 30, 2009.''.

SEC. 3. REPORTS.

(a) SMALL BUSINESS ADMINISTRATION.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, and every 6 months thereafter until September 30, 2009, the Administrator shall submit a report on the implementation of the program under section 502(b)(1)(B) of the Small Business Investment Act of 1958, as added by this Act, to—

(A) the Committee on Small Business and Entrepreneurship of the Senate; and

(B) the Committee on Small Business of the House of Representatives.

(2) CONTENTS.—Each report under paragraph (1) shall contain—

(A) the date on which the program is implemented;

(B) the date on which the rules are issued under section 4; and

(C) the number and dollar amount of loans under the program applied for, approved, and disbursed during the previous 6 months—

(i) with respect to nonprofit child care businesses; and

(ii) with respect to for-profit child care businesses.

(b) GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) IN GENERAL.—Not later than March 31, 2009, the Comptroller General of the United States shall submit a report on the child care small business loans authorized by section 502(b)(1)(B) of the Small Business Investment Act of 1958, as added by this Act, to—

(A) the Committee on Small Business and Entrepreneurship of the Senate; and

(B) the Committee on Small Business of the House of Representatives.

(2) CONTENTS.—The report under paragraph (1) shall contain information gathered during the first 2 years of the loan program, including—

(A) an evaluation of the timeliness of the implementation of the loan program;

(B) a description of the effectiveness and ease with which certified development companies, lenders, and small business concerns have participated in the loan program;

(C) a description and assessment of how the loan program was marketed;

(D) by location (State, insular area, and the District of Columbia) and in total, the number of child care small businesses, categorized by status as a for-profit or nonprofit business, that—

(i) applied for a loan under the program (and whether it was a new or expanding child care provider);

(ii) were approved for a loan under the program; and

(iii) received a loan disbursement under the program (and whether they are a new or expanding child care provider); and

(E) with respect to businesses described under subparagraph (D)(iii)—

(i) the number of such businesses in each State, insular area, and the District of Columbia, as of the year of enactment of this Act;

(ii) the total amount loaned to such businesses under the program;

(iii) the total number of loans to such businesses under the program;

(iv) the average loan amount and term;

(v) the currency rate, delinquencies, defaults, and losses of the loans;

(vi) the number and percent of children served who receive subsidized assistance; and

(vii) the number and percent of children served who are low income.

(3) ACCESS TO INFORMATION.—

(A) IN GENERAL.—The Administration shall collect and maintain such information as may be necessary to carry out this subsection from certified development centers and child care providers, and such centers and providers shall comply with a request for information from the Administration for that purpose.

(B) PROVISION OF INFORMATION TO GOVERNMENT ACCOUNTABILITY OFFICE.—The Administration shall provide information collected under this paragraph to the Comptroller General of the United States for purposes of the report required by this subsection.

SEC. 4. RULEMAKING AUTHORITY.

Not later than 120 days after the date of enactment of this Act, the Administrator shall issue final rules to carry out the loan program authorized by section 502(b)(1)(B) of the Small Business Investment Act of 1958, as added by this Act.

By Mr. MENENDEZ (for himself and Mr. DEWINE):

S. 2651. A bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Health, Education, Labor, and Pensions.

Mr. MENENDEZ. Mr. President, I rise today to introduce the ''Simon Wiesenthal Holocaust Education Assistance Act.'' This important legislation would provide competitive grants for educational organizations to make Holocaust education more accessible and available throughout this Nation.

And I would like to thank my colleague Senator DEWINE for cosponsoring this legislation and my former colleague in the House, Congresswoman MALONEY, for her leadership on this issue.

This legislation could not come at a more important and solemn day in our lives. Today is Yom Hashoah, a day when we commemorate the approximately six million men, women and children of Jewish faith, as well as millions of others who were persecuted and murdered 65 years ago in a systematic, state sponsored genocide. Today, we also honor those who stood up against the genocide and risked their own lives to save others.

Today we stand in solidarity with Israel and the Jewish faith, and with all people throughout the world, in remembering these tragic events.

And today we honor Simon Wiesenthal who dedicated his life to making sure that those who perpetrated the horrors of the Holocaust were brought to justice.

Sixty-five years may seem like a lifetime away, and generations may have been raised thinking that the Holocaust, and events like it, is from a distant past. But let me be clear—these events are not so distant and are not in the past. In fact, they are in our present.

Just recently, Iran's president Mahmoud Ahmadinejad hatefully and outrageously declared the Holocaust a ''myth'' and Israel a ''fake regime'' which ''cannot continue to live.''

And just two months ago, an anti-Semitic gang that calls themselves ''the Barbarians'' tortured 23-year-old Ilan Halimi, a young Jewish man, for three weeks before leaving him for dead near a train station in Paris.

It is these events that make us aware of the destructive messages of hate and violence that arise from Holocaust denial. It is these events that show us the importance of Holocaust education, abroad and in our own Nation.

For although some States now require the Holocaust to be taught in public schools, this legislation goes further and makes grants available to organizations that teach students, teachers, and communities the dangers of hate and the importance of tolerance in our society. This legislation would give educators the appropriate resources and training to teach accurate historical information about the Holocaust and convey the lessons that the Holocaust provides for all people.

We must recognize that by remembering the millions who were murdered in the Holocaust, we create a sense of responsibility to stop genocide wherever it takes place. But we must also remember that hate crimes and genocide could, and are still, happening today.

We are reminded, through the deplorable comments made by Iranian President Ahmadinejad against Israel and through the murder of young Ilan Halimi in France that anti-Semitism still exists even 65 years after the Holocaust. The awful acts of murder and rape in Darfur are a horrific example of genocide in the 21st century.

And those who believe that anti-Semitism is an attack that need not be answered by those who are not Jewish do not recognize the consequences of history. In fact, an attack against anyone simply because of race or religion is ultimately the beginning of the unraveling of civilization. It is in our common interest to raise our voices against anti-Semitism and against all hatred and discrimination.

We must fight the chorus of anti-Semitism and fight the fear and the hate. As a Nation proud of our diverse heritage, we must, each of us, take a stand. With our words, but most importantly with our actions, we will turn the tide against this new wave of anti-Semitism. And funding accurate educational programs on the Holocaust is a step toward winning this battle.

In the words of Samantha Power, a renowned expert on genocide, ''the sharpest challenge to the world of bystanders is posed by those who have refused to remain silent in the age of genocide.''

So today, the United States of America stands with Israel and all followers of the Jewish faith in commemorating Yom Hashoah, and condemning all anti-Semitism and hatred. And I am proud to join in the stand against anti-Semitism here and around the world.

I urge my colleagues to support this legislation.

By Mr. LEVIN (for himself, Ms. COLLINS, and Mr. REED):

S.J. Res. 34. A joint resolution expressing United States policy on Iraq; to the Committee on Foreign Relations.

Mr. LEVIN. Mr. President, I ask unanimous consent that the text of the

joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 34

Whereas there has been a strong consensus among the senior United States military commanders that a broad-based political settlement involving the three main Iraqi groups is essential for defeating the insurgency;

Whereas the two parts of that political settlement are (1) agreement on a national unity government that serves the interests of all Iraqis, and (2) compromises to amend the Iraq Constitution to make it an inclusive document;

Whereas such a two-part political settlement is also essential to prevent all-out civil war and is a critical element of our exit strategy for United States military forces in Iraq;

Whereas the Iraqi Council of Representatives' approval on April 22, 2006, of the Presidency Council consisting of Jalal Talabani as President and two Vice Presidents, and the election of a Speaker and two Deputy Speakers is a significant step, as is the decision by the Iraqi political leadership to select Jawad al-Maliki as the Prime Minister designate;

Whereas the Council of Representatives still needs to consider the nomination of Jawad al-Maliki and his still-to-be-chosen Cabinet, including an Interior Minister and a Defense Minister, and still needs to form a committee to recommend changes to the Iraq Constitution;

Whereas under the Iraq Constitution, Prime Minister designate Jawad al-Maliki has 30 days from April 22, 2006, to choose and present a Cabinet to the Council of Representatives for its approval;

Whereas under the Iraq Constitution, the Council of Representatives, at the start of its functioning, is required to appoint a committee from its members which will have four months to present recommendations to the Council for necessary amendments to the Iraq Constitution;

Whereas while the three main Iraqi groups have differing views about the duration of the presence in Iraq of the United States-led Coalition forces, none of them favor the immediate withdrawal of United States military forces from Iraq;

Whereas section 1227 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109—163; 119 Stat. 3465; 50 U.S.C. 1541 note) provides in part that ''[t]he Administration should tell the leaders of all groups and political parties in Iraq that they need to make the compromises necessary to achieve the broad-based and sustainable political settlement that is essential for defeating the insurgency in Iraq, within the timetable they set for themselves'';

Whereas the United States Ambassador to Iraq, Zalmay Khalilzad, has done an exceptional job in working with Iraqi political, religious, and tribal leaders in an effort to achieve consensus on the prompt formation of a national unity government; and

Whereas the American public has become increasingly and understandably impatient with the failure of the Iraqis to form a national unity government: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that the Iraqi political, religious, and tribal leaders should be told by the Administration that—

(1) the continued presence of United States military forces in Iraq is not unconditional;

(2) whether the Iraqis avoid all-out civil war and have a future as a nation is in their hands;

(3) the Iraqis need to seize that opportunity and only they can be responsible for their own future; and

(4) completing the formation of a government of national unity and subsequent agreement to modifications to the Iraq Constitution to make it more inclusive, within the deadlines the Iraqis have set for themselves in the Iraq Constitution, is—

(A) essential to defeating the insurgency and avoiding all-out civil war; and

(B) a condition of the continued presence of United States military forces in Iraq.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 441—EXPRESSING THE SUPPORT OF THE SENATE FOR THE RECONVENING OF THE PARLIAMENT OF NEPAL AND FOR AN IMMEDIATE PEACEFUL TRANSITION TO DEMOCRACY

Mr. LUGAR (for himself, Mr. BIDEN, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 441

Whereas, in 1990, Nepal adopted a constitution that enshrined multi-party democracy under a constitutional monarchy, ending 3 decades of absolute monarchical rule;

Whereas, since 1996, Maoist insurgents have waged a violent campaign to replace the constitutional monarchy with a communist republic, which has resulted in widespread human rights violations by both sides and the loss of an estimated 12,000 lives;

Whereas the Maoist insurgency grew out of the radicalization and fragmentation of left wing parties following Nepal's transition to democracy in 1990;

Whereas, on June 1, 2001, King Birendra, Queen Aishwarya and other members of the Royal family were murdered, leaving the throne to the slain King's brother, the current King Gyanendra;

Whereas, in May 2002, in the face of increasing Maoist violence, Prime Minister Sher Bahadur Deuba dissolved the Parliament of Nepal;

Whereas, in October 2002, King Gyanendra dismissed Prime Minister Deuba;

Whereas, in June 2004, after the unsuccessful tenures of 2 additional palace-appointed prime ministers, King Gyanendra reappointed Prime Minister Deuba and mandated that he hold general elections by April 2005;

Whereas, on February 1, 2005, King Gyanendra accused Nepali political leaders of failing to solve the Maoist problem, seized absolute control of Nepal by dismissing and detaining Prime Minister Deuba and declaring a state of emergency, temporarily shut down Nepal's communications, detained hundreds of politicians and political workers, and limited press and other constitutional freedoms;

Whereas, in November 2005, the mainstream political parties formed a seven-party alliance with the Maoists and agreed to a 12 point agenda that called for a restructuring of the government of Nepal to include an end to absolute monarchical rule and the formation of an interim all-party government with a view to holding elections for a constituent assembly to rewrite the Constitution of Nepal;

Whereas, since February 2005, King Gyanendra has promulgated dozens of ordinances without parliamentary process that violate basic freedoms of expression and association, including the Election Code of Conduct that seeks to limit media freedom in covering elections and the Code of Conduct for Social Organizations that bars staff of nongovernmental organizations from having political affiliations;

Whereas King Gyanendra ordered the arrest of hundreds of political workers in January 2006 before holding municipal elections on February 8, 2006, which the Department of State characterized as ''a hollow attempt by the King to legitimize his power'';

Whereas the people of Nepal have been peacefully protesting since April 6, 2006, in an attempt to restore the democratic political process;

Whereas on April 10, 2006, the Department of State declared that King Gyanendra's February 2005 decision ''to impose direct palace rule in Nepal has failed in every regard'' and called on the King to restore democracy immediately and to begin a dialogue with Nepal's political parties;

Whereas King Gyanendra ordered a crackdown on the protests, which has left at least 14 Nepali citizens dead and hundreds injured by the security forces of Nepal;

Whereas the people of Nepal are suffering hardship due to food shortages and lack of sufficient medical care because of the prevailing political crisis;

Whereas King Gyanendra announced on April 21, 2006, that the executive power of Nepal shall be returned to the people and called on the seven-party alliance to name a new prime minister to govern the country in accordance with the 1990 Constitution of Nepal;

Whereas the seven-party alliance subsequently rejected King Gyanendra's April 21, 2006 statement and called on him to reinstate parliament and allow for the establishment of a constituent assembly to draw up a new constitution;

Whereas on April 24, 2006, King Gyanendra announced that he would reinstate the Parliament of Nepal on April 28, 2006, and apologized for the deaths and injuries that occurred during the recent demonstrations, but did not address the issue of constitutional revision;

Whereas political party leaders have welcomed King Gyanendra's April 24th announcement and stated that the first action of the reconvened parliament will be the scheduling of elections for a constituent assembly to redraft the Constitution of Nepal.

Now, therefore, be it

Resolved, That the Senate—

(1) expresses its support for the reconvening of the Parliament of Nepal and for an immediate, peaceful transition to democracy;

(2) commends the desire of the people of Nepal for a democratic system of government and expresses its support for their right to protest peacefully in pursuit of this goal;

(3) acknowledges the April 24, 2006 statement by King Gyanendra regarding his intent to reinstate the Parliament of Nepal;

(4) urges the Palace, the political parties, and the Maoists to immediately support a process that returns the country to multiparty democracy and creates the conditions for peace and stability in Nepal;

(5) declares that the transition to democracy in Nepal must be peaceful and that violence conducted by any party is unacceptable and risks sending Nepal into a state of anarchy;

(6) calls on security forces of Nepal to exercise maximum restraint and to uphold the highest standards of conduct in their response to the protests;

(7) urges the immediate release of all political detainees and the restoration of full civilian and political rights, including freedom of association, expression, and assembly;

(8) urges the Maoists to lay down their arms and to pursue their goals through participation in a peaceful political process; and

(9) calls on the Government of the United States to work closely with other governments, including the governments of India, China, the United Kingdom, and the European Union, and with the United Nations to ensure a common and coherent international approach that helps to bring about an immediate peaceful transition to democracy and to end the violent insurgency in Nepal.

Mr. LUGAR. Mr. President, as Members are aware, Nepal has been gripped by demonstrations in support of democracy for the past 20 days. At least 14 Nepali citizens have been killed in these protests and hundreds more injured. The demonstrations follow 14 months of direct rule by King Gyanendra and February 8, 2006, municipal elections that the State Department characterized as a ''hollow attempt by the King to legitimize his power.''

I am submitting today a resolution expressing the Senate's support for the reconvening of the Nepali parliament and for an immediate, peaceful transition to a democratic political process in the country. This resolution urges the King, political parties, and Maoists to support a process that returns the country to multi-party democracy and creates the conditions for peace and stability in the country.

SENATE RESOLUTION 442—EXPRESSING THE DEEP DISAPPOINTMENT OF THE SENATE WITH RESPECT TO THE ELECTION OF IRAN TO A LEADERSHIP POSITION IN THE UNITED NATIONS DISARMAMENT COMMISSION AND REQUESTING THE PRESIDENT TO WITHHOLD FUNDING TO THE UNITED NATIONS UNLESS CREDIBLE REFORMS ARE MADE

Mr. COLEMAN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 442

Whereas the United Nations has continuously failed to meet minimal reform expectations, including those outlined in the September Summit Outcome Document;

Whereas the United Nations has allowed member states acting in defiance of their obligations to the United Nations to enjoy full participatory rights and leadership positions in all bodies of the United Nations;

Whereas the mandate of the charter of the United Nations that protects international peace and security is significantly hindered by the placement of pariah states in leadership positions within various commissions;

Whereas the credibility of the United Nations has been further crippled by the fact that Iran was elected to serve as the vice chair of the Asia regional group of the United Nations Disarmament Commission;

Whereas Iran has committed many acts of malfeasance with respect to its nuclear program that makes it an unacceptable candidate for the United Nations Disarmament Commission, including—

(1) developing a clandestine nuclear program for 18 years prior to 2003;

(2) repeatedly deceiving the International Atomic Energy Agency about a variety of nuclear-related activities;

(3) failing to provide inspectors from the International Atomic Energy Agency with access to various nuclear sites;

(4) refusing to answer questions related to its nuclear program;

(5) reneging on its commitments under the Paris Accords of November 2004, which included the suspension of uranium enrichment activities; and

(6) announcing its success in achieving uranium enrichment capabilities, which represented a brazen affront to the international community;

Whereas other actions and rhetoric by Iran have perpetuated its record of terror and tyranny, and warranted its isolation from the international community at the United Nations, including—

(1) continuing its calls for the annihilation of Israel, which is a member state of the United Nations;

(2) actively sponsoring terrorism through groups including Hezbollah, Hamas, and Islamic Jihad, which prompted the Department of State to classify Iran as the ''most active state sponsor of terrorism in 2004''; and

(3) continuing its efforts to destabilize neighboring countries by meddling in the affairs of those countries, including Iraq, Israel, and Lebanon; and

Whereas, while Iran continues to enjoy full participatory rights and privileges as a member state of the United Nations, the overall conduct of Iran is a direct threat to world security and violates numerous fundamental principles on which the United Nations is based: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its deep disappointment with respect to the failure of the Asia group members of the United Nations Disarmament Commission to stop the election of Iran as the vice chair of that body;

(2) asserts that the United Nations Disarmament Commission has no credibility on disarmament issues due to the participation of Iran, particularly in light of the defiance of Iran in disregarding resolutions passed by the International Atomic Energy Agency and the Security Council Presidential Statement relating to its nuclear program;

(3) calls on the United States to reject all resolutions passed by the discredited United Nations Disarmament Commission;

(4) condemns the continued intransigence of Iran with respect to its—

(A) nuclear program;

(B) treatment of Israel; and

(C) sponsorship of terror;

(5) shall work to ensure that funding from the United States is withheld from—

(A) the regular budget of the United Nations in the amount that is directed towards the activities of the United Nations Disarmament Commission; and

(B) any commission of the United Nations in which the worst violators of the principles it claims to promote are included in its membership, including the new Human Rights Council;

(6) calls on the United Nations to deny Iran from participating in any commission of the United Nations until it—

(A) complies with its obligations under the Non-Proliferation Treaty and International Atomic Energy Agency resolutions;

(B) halts—

(i) all uranium enrichment activities; and

(ii) all calls for the destruction of Israel; and

(C) withdraws support from terrorist groups; and

(7) calls on the President to—

(A) closely monitor the progress of the United Nations on reform; and

(B) exercise the option of the President to withhold funding unless credible reforms are made prior to discussions on the biannual budget.

Mr. COLEMAN. Mr. President, I rise to submit a sense-of-the Senate resolution expressing the deepest disappointment of the Senate with respect to the election of Iran to a leadership position on the United Nations Disarmament Commission and request the President to withhold funding to the United Nations unless credible reforms are made.

A couple of observations, Mr. President. In light of the Oil-For-Food scandal, it was my great hope that we would see a movement toward reform in the United Nations. The Secretary General had put forth some proposed reforms. There was some discussion about whether the U.N. Commission on Human Rights was going to be reformed. Unfortunately, the energy was there, the hope was there, and we seemed to be moving in the wrong direction.

On May 9, for the new Human Rights Council, elections will be held. It appears that Cuba may be appointed to the new Human Rights Council.

The recommendations from the Secretary General for minimum reform are now coming under attack by something called the G–77, the underlying nations, which may dismantle those. A little tremor occurred just about a week ago, and to some people it may be a little thing, but it is not. It is symbolic of some of the things we face with the United Nations.

Just recently, Iran was elected to the U.N. Disarmament Commission. Some may say that this is a very minor commission; it is an inactive forum; it only meets 3 weeks a year, the U.N. Commission on Disarmament. We have Iran out there thumbing its nose at the international community hell-bent on getting a nuclear weapon. And by the way, they said what they are going to do with it. They said they want to destroy Israel. That is what they said they are going to do. Hitler told us what he wanted to do and the world didn't listen. God forbid there is an explosion of an atomic weapon in Tel Aviv or Haifa. They have already said where it is going to come from, this is what we are going to do.

So Iran gets elected to the U.N. Commission on Disarmament. In some ways it doesn't make sense. In some ways it is absurd, but it does require comment. It does require a response. It does require folks to say: I don't care whether it meets 3 weeks a year or 1 week a year or 50 weeks a year. This is something that highlights the absurdity of what is happening today in this international body.

It is interesting that, as expected, Iran is already making efforts to convert the Disarmament Commission into yet another forum for anti-semitism. Last week, at a working group meeting, Iran's representative to

the Disarmament Commission stated that the suggestion that Iran had a nuclear weapons program was Jewish propaganda fabricated by the Jewish lobby in the United States. These brazenly antisemitic comments were objected to by our American representative, but other members, including the chair of the working group, remained silent.

I am disturbed by the moral indifference that the U.N. has reached where you have a member state seeking nuclear weapons with the expressed intention of destroying another member state, and that member state, Iran, is allowed to serve as the Vice Chair of the Disarmament Commission. That is completely unacceptable, to say the least. I am disappointed that the Asian member states did not step up to contest the candidacy of Iran.

This is what is happening: You have regional groupings, so each state, regional groupings, pick their members. The United States doesn't get involved in this. It is up to the member states, the Asian members. But somebody has to be thinking this doesn't make sense. This is going to cast a negative pall over the international community's reflection about what the United Nations community is all about. It is another step back at a time when we need to be moving forward.

It is the responsibility of member states at the U.N. to step up and prevent the system from being manipulated by pariah states such as Iran that are looking to pursue their destructive agendas. Iran is probably the major state sponsor of terrorism in the world today. Iran says they want to destroy Israel. Iran supports terrorism and Iran is intent on getting a nuclear weapon.

We do not control what other member states do, but we should make the position of the United States clear. The United States should not be funding institutions that not only undermine the very principles they claim to promote but directly harm U.S. interests. A disarmament commission with Iran in a leadership position should be condemned by the United States and we should make a statement. I have been very hesitant to talk about holding back funding, but we are going in the wrong direction. I will be back on the floor if Cuba gets appointed, gets elected to this new human rights council. I will be back on the floor. At a certain point in time you have to expect something. Much is given, much is received. We have given the U.N. a lot of money. We have given a lot of support. There are expectations then and they are not being met.

Lest someone has failed to be aware of Iran's deeds, let me review some of the credentials for being excluded from the commission. Iran has repeatedly deceived the IAEA about a variety of nuclear-related activities, failed to provide IAEA inspectors access to various nuclear sites, and refused to answer outstanding questions that led to its nuclear program. It reneged on its commitments under the Paris Accord of 2004, which included the suspension of uranium enrichment activities.

Again, I talked about the actions and rhetoric of the Iranian regime to perpetuate a record of terror and tyranny which also warrants isolation from the international community at the U.N., including calls for the annihilation of Israel, active sponsorship of terrorism through groups including Hezbollah, Hamas, and Islamic Jihad, meddling in the affairs of neighboring countries such as Iraq and Israel and Lebanon.

The overall conduct of Iran is a direct threat to world security. It violates numerous fundamental principles on which the United Nations is based. Yet it continues to enjoy full participatory rights and privileges as a member state of the U.N. In fact, it gets rewarded by a leadership position on the disarmament commission. Such a situation is beyond comprehension.

The resolution I plan to submit does the following. It expresses deep disappointment in the failure of the Asian group members of the disarmament commission to stop Iran's election as the vice chair of the body. It asserts the disarmament commission has no credibility on disarmament issues due to Iran's participation, particularly in the light of Iran's defiance of the IAEA resolutions and the Security Council presidential statement regarding its nuclear program. It calls on the U.S. to reject all resolutions passed by the discredited disarmament commission, condemns Iran's continued intransigence with regard to the treatment of Israel and sponsorship of terror and, finally, works to ensure that U.S. funding is withheld from the U.N. in the amount that is directed toward the disarmament commission's activities from its regular budget.

We are not talking about a lot of money here. What we are talking about is making a statement—making a statement. We call upon the President to closely monitor U.N. progress on reform and to exercise his option to withhold funding unless credible reforms are made prior to the discussions of the biannual budget in June.

What do you do? In the U.S. we ask the question, What shall we do when those who enforce the law break the law? In the international context we are asking, What do we do when a key voice in disarmament is given to one of the world's most willful sponsors of terrorism at a time when they are ignoring the international community in their quest for nuclear weapons?

The response is just to say no. Civilized nations must speak with one voice. That statement should begin right here with the passage of my resolution.

I urge my colleagues to join me in cosponsoring this resolution. The error of the United Nations is serious. To be silent in the face of it would be far worse.

SENATE RESOLUTION 443—RELATIVE TO THE DEATH OF FRANCIS R. VALEO, FORMER SECRETARY OF THE SENATE

Mr. FRIST (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 443

Whereas Francis R. (Frank) Valeo served with distinction as chief of the Foreign Affairs Division of the Legislative Reference Service and specialist in the Far East, before beginning his service to the United States Senate in 1952 on the staff of the Committee on Foreign Relations;

Whereas Frank Valeo in 1958 became foreign policy advisor and assistant to the Majority Whip, Senator Mike Mansfield, and then served as Majority Secretary from 1963 to 1966;

Whereas Frank Valeo served as Secretary of the Senate from 1966 to 1977;

Whereas Frank Valeo accompanied many United States Senators on missions to all parts of the globe, assisted the Majority Leader in regularly reporting on conditions in Southeast Asia, and was part of the first congressional delegation to visit the People's Republic of China in 1972;

Whereas Frank Valeo represented the United States Senate on the Federal Election Commission from 1974 to 1977, and in that role participated in the 1976 landmark Supreme Court decision of Buckley v. Valeo;

Whereas Frank Valeo helped to modernize and set professional standards for service in the diverse offices that report to the Secretary of the Senate, and served as a member of the Commission on the Operation of the Senate, from 1975 to 1976, where he helped craft its proposals for structural and technological reforms in Senate operations;

Whereas Frank Valeo faithfully discharged the difficult duties and responsibilities of a wide variety of important and demanding positions in public life with honesty, integrity, loyalty, and humanity; and

Whereas Frank Valeo's clear understanding and appreciation of the challenges facing the Nation have left his mark on those many areas of public life: Now, therefore, be it

Resolved, That (a) the Senate has heard with profound sorrow and deep regret the announcement of the death of Frank Valeo.

(b) The Secretary of the Senate shall communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

(c) When the Senate adjourns today, it shall stand adjourned as a further mark of respect to the memory of Frank Valeo.

SENATE RESOLUTION 444—COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN JEWISH COMMITTEE

Mr. SMITH (for himself, Mrs. FEINSTEIN, and Mrs. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 444

Whereas the American Jewish Committee, after its founding in 1906, rapidly emerged as a pioneering human relations agency, dedicated to combating all forms of bigotry and championing a sense of shared civic responsibility;

Whereas the American Jewish Committee, through a range of innovative projects and programs, seeks to build a more hopeful world by expanding freedom, enhancing mutual respect, monitoring hate groups, and

providing vital information about extremists of every type;

Whereas the American Jewish Committee has strengthened the culture of the United States in historic ways through programs that teach tolerance, such as America's Table, through far-reaching dialogues with ethnic and religious group in the country, through promoting interfaith awareness and playing a key role in the issuance of Nostra Aetate, and through steadfast support of vulnerable individuals throughout history;

Whereas the American Jewish Committee, the first American Jewish organization to establish a full-time office in Israel, has worked tirelessly to tell the extraordinary story of Israel through a range of endeavors, including Project Interchange, which has brought more than 3,000 American leaders to the Jewish state for journeys of discovery and understanding;

Whereas the American Jewish Committee, through its network of offices and associations in the United States and across the globe, works with many countries, the United Nations, and other international bodies to promote democratic ideals and to protect and uplift Jewish communities everywhere;

Whereas the American Jewish Committee, through advocacy and education, indefatigably defends and protects the treasured civic values of the United States, including religious freedom, and support for public education and the family;

Whereas the American Jewish Committee sponsored research cited in the landmark Supreme Court case banning segregation, Brown et al. v. Board of Education of Topeka et al., and played a vital role in the civil rights movement, stood with Soviet Jewry and all prisoners of conscience in the Soviet Union, argued successfully for the inclusion of human rights clauses in the United Nations Charter, and insisted upon an acceptance of women's rights as a human rights issue; and

Whereas the American Jewish Committee, at work both on the world stage and here at home, for a century has had a proud and profoundly beneficial presence throughout the communities of the United States: Now, therefore, be it

Resolved, That—

(1) the American Jewish Committee, by choosing hope, inspires everyone in the United States as it continues its work into its second century of service; and

(2) the Senate salutes, commends, and congratulates the American Jewish Committee for its century of leadership.

SENATE RESOLUTION 445—EXPRESSING THE SENSE OF THE SENATE IN COMMEMORATING HOLOCAUST REMEMBRANCE DAY

Mr. SANTORUM (for himself, Mr. LIEBERMAN, Mr. NELSON of Florida, Mr. VOINOVICH, Mr. INHOFE, Mr. ENSIGN, Ms. SNOWE, Mr. BROWNBACK, Mr. ALLEN, Mrs. FEINSTEIN, Mr. DEWINE, Mr. LEVIN, Mr. CHAFEE, Mr. FRIST, Mr. LAUTENBERG, Mr. BURNS, Mr. SPECTER, Mr. HAGEL, Mr. THOMAS, Mr. WARNER, Mrs. DOLE, Mr. CRAPO, Mr. TALENT, and Mr. SUNUNU) submitted the following resolution; which was considered and agreed to:

S. RES. 445

Whereas the Holocaust involved the systematic persecution and genocide of millions of innocent Jewish men, women, and children, along with millions of others, by the Nazis under the leadership of Adolf Hitler;

Whereas an estimated 6,000,000 Jews and many others were killed in the Holocaust;

Whereas millions of survivors of the Holocaust endured enormous suffering through violence, torture, slave labor, and involuntary medical experimentation;

Whereas in the 61 years since the end of the Holocaust, this tragic event has helped to teach the people of the world awareness of the danger of hatred, anti-Semitism, bigotry, and racism, and the importance of compassion and understanding diversity;

Whereas Holocaust Remembrance Day is held every year in remembrance of the Holocaust and its millions of victims: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates Holocaust Remembrance Day, which falls on April 25, 2006;

(2) remembers the 6,000,000 Jews and many others who were killed by the Nazis, and honors the millions of survivors of the Holocaust; and

(3) encourages all Americans to commemorate the occasion through reflection, acts of compassion, and education about the horrific consequences of anti-Semitism, bigotry, racism and hatred.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3591. Mr. LEVIN (for himself, Ms. COLLINS, and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 3592. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3593. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3594. Mr. GREGG (for himself, Mr. FRIST, Mr. BYRD, Mr. DOMENICI, Mr. ENSIGN, Mr. ALEXANDER, and Mr. SUNUNU) proposed an amendment to the bill H.R. 4939, supra.

SA 3595. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3596. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3597. Mr. LUGAR (for himself, Mr. WARNER, Mr. CHAFEE, and Mr. ALLEN) submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3598. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra.

SA 3599. Mr. LUGAR (for himself, Mr. OBAMA, Mr. DOMENICI, Mr. LEVIN, Mr. HAGEL, Mr. REED, Mr. CHAFEE, Mr. DODD, Mr. ALLEN, Mr. BAYH, Mrs. BOXER, Mr. AKAKA, Mr. LAUTENBERG, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3600. Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. ENSIGN, and Mrs. MURRAY) proposed an amendment to the bill H.R. 4939, supra.

SA 3601. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3602. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3603. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3604. Mr. REID proposed an amendment to the bill H.R. 4939, supra.

SA 3605. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3606. Mr. SMITH submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3607. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3608. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3609. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3610. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

SA 3611. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3591. Mr. LEVIN (for himself, Ms. COLLINS, and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 126, between lines 12 and 13, insert the following:

REPORTS TO CONGRESS ON A NATIONAL UNITY GOVERNMENT AND AMENDING THE IRAQ CONSTITUTION TO MAKE IT A UNIFYING DOCUMENT

SEC. 1406. (a) REPORTS REQUIRED.—In furtherance of the findings and sense of Congress set forth in Senate Joint Resolution 34, as introduced in the Senate on April 25, 2006, the President shall, not later than 30 days after the date of the enactment of this Act and every 30 days thereafter until a national unity government has been formed in Iraq and the Iraq Constitution has been amended in a manner that makes it a unifying document, submit to Congress a report on United States policy and political developments in Iraq.

(b) ELEMENTS.—Each report shall include the following information:

(1) Whether the Administration has told the Iraqi political, religious and tribal leaders that agreement by the Iraqis on a government of national unity, and subsequent agreement to amendments to the Iraq Constitution to make it more inclusive, within the 30-day and 4-month deadlines that the Iraqis set for themselves in their Constitution, is a condition for the continued presence of United States military forces in Iraq.

(2) The progress that has been made in the formation of a national unity government and the obstacles, if any, that remain.

(3) The progress that has been made in the amendment of the Iraq Constitution to make it more of a unifying document and the obstacles, if any, that remain.

SA 3592. Mr. REED submitted an amendment intended to be proposed by

him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 162, between lines 12 and 13, insert the following:

FOX POINT HURRICANE BARRIER

For an additional amount for the Secretary of the Army, acting through the Chief of Engineers, for use in upgrading the electro-mechanical control system of the Fox Point hurricane barrier in Providence, Rhode Island, $1,055,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SA 3593. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

CHAPTER 9

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEC. 2901. (a) GRANT PROGRAM AUTHORIZED.—The Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, shall award grants to public hospitals, nonprofit entities, and medicare and medicaid enrolled suppliers and institutional providers to reimburse such hospitals, entities, suppliers, and providers for health care related expenses or lost revenues directly attributable to the public health emergency resulting from the damage and devastation caused by Hurricanes Katrina and Rita in the Gulf Coast region if such expenses or lost revenues have not otherwise been reimbursed or are eligible for reimbursement from other sources. Grant amounts awarded under this section shall be available until expended.

(b) APPROPRIATION.—There is authorized to be appropriated and there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000 to carry out this section.

SA 3594. Mr. GREGG (for himself, Mr. FRIST, Mr. BYRD, Mr. DOMENICI, Mr. ENSIGN, Mr. ALEXANDER, and Mr. SUNUNU) proposed an amendment to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

TITLE ____—BORDER SECURITY

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR BORDER SECURITY

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For an additional amount for the ''Office of the Secretary and Executive Management'' to provide funds for the Office of Policy, $2,000,000: *Provided*, That the entire amount is solely for a contract with an independent non-Federal entity to conduct a needs assessment for comprehensive border security: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE CHIEF INFORMATION OFFICER

For an additional amount for the ''Office of the Chief Information Officer'' to replace and upgrade law enforcement communications, $50,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES VISITOR AND IMMIGRATION STATUS INDICATOR TECHNOLOGY

For an additional amount for ''United States Visitor and Immigration Status Indicator Technology'' to accelerate biometric database integration and conversion to 10–print enrollment, $60,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $180,000,000, of which $80,000,000 is for border patrol vehicle replacement and $100,000,000 is for sensor and surveillance technology: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure of these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'' to replace air assets and upgrade air operations facilities, $790,000,000, to remain available until expended, of which $40,000,000 is for helicopter replacement and $750,000,000 is for recapitalization of air assets: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve an expenditure plan for the complete recapitalization of Customs and Border Protection air assets and facilities: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'', $120,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure for these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to replace vehicles, $80,000,000: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'' for acquisition, construction, renovation, and improvement of vessels, aircraft, and equipment, $600,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for ''Acquisition, Construction, Improvements, and Related Expenses'' for construction of the language training facility referenced in the Master Plan and information technology infrastructure improvements, $18,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS TITLE

REDUCTION IN FUNDING

SEC. ____. (a) REDUCTION.—Except as provided in subsection (b), the aggregate amount provided by chapter 3 of title I of this Act and chapter 3 of title II of this Act may not exceed $68,962,188,000.

(b) INAPPLICABILITY TO AMOUNTS FOR MILITARY CONSTRUCTION.—Subsection (a) does not apply to amounts provided by chapter 3 of title I of this Act and chapter 3 of title II of this Act for military construction.

SA 3595. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 9 and 10, insert the following:

RE-EQUIPPING OF 53RD INFANTRY BRIGADE TEAM UPON ITS RETURN FROM DEPLOYMENT IN AFGHANISTAN

SEC. 1312. Of the amount appropriated or otherwise made available by this chapter under the heading ''OTHER PROCUREMENT, ARMY'', $59,300,000 shall be available for the re-equipping of the 53rd Infantry Brigade team upon its return from deployment in Afghanistan, of which—

(1) $15,000,000 shall be for PVS–7B night vision devices;

(2) $44,000,000 shall be for Heavy HMMWV variants and FMTV light and medium cargo trucks; and

(3) $300,000 shall be for M–4 rifles.

SA 3596. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 9 and 10, insert the following:

PRIORITY IN FUNDING FOR REPLACEMENT EQUIPMENT FOR THE NATIONAL GUARD FOR STATES LIKELY TO BE EFFECTED BY 2006 HURRICANE SEASON

SEC. 1312. In allocating amounts appropriated or otherwise made available by this chapter under the heading ''OTHER PROCUREMENT, ARMY'' for the procurement of replacement equipment for the National Guard, the Secretary of Defense shall afford a priority in the allocation of such funds to the States likely to experience a hurricane during the 2006 hurricane season.

SA 3597. Mr. LUGAR (for himself, Mr. WARNER, Mr. CHAFEE, and Mr. ALLEN) submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, between lines 10 and 11, insert the following:

SEC. 1202. DEPARTMENT OF STATE AND USAID AUTHORITIES.

(a) WAIVER OF ANNUITY LIMITATIONS ON REEMPLOYED FOREIGN SERVICE ANNUITANTS.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended to read as follows:

''(g)(1) The Secretary of State may waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis, or grant authority to the head of an Executive agency to waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis—

''(A) if, and for so long as, such waiver is necessary due to an emergency involving a direct threat to life or property or other unusual circumstances; or

''(B) if the annuitant is employed in a position for which there is exceptional difficulty in recruiting or retaining a qualified employee.

''(2) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to subparagraph (B) of paragraph (1), or to grant authority to the head of an Executive agency to waive the application of such subsections to an annuitant under subparagraphs (A) or (B) of such paragraph, shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

''(3) The Secretary should prescribe procedures for the exercise of any authority under paragraph (1), including criteria for any exercise of authority and procedures for a delegation of authority.''.

(b) WAIVER OF ANNUITY LIMITATIONS ON REEMPLOYED CIVIL SERVICE ANNUITANTS.—

(1) DEPARTMENT OF STATE.—Title I of the Department of State Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section:

''SEC. 61. REEMPLOYMENT OF ANNUITANTS UNDER THE CIVIL SERVICE RETIREMENT SYSTEM AND FEDERAL EMPLOYEES' RETIREMENT SYSTEM.

''(a) AUTHORITY.—

''(1) IN GENERAL.—The Secretary of State may waive the application of the provisions of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.

''(2) TERMINATION OF AUTHORITY.—The authority of the Secretary under paragraph (1) shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

''(b) PROCEDURES.—The Secretary should prescribe procedures for the exercise of any authority under subsection (a), including criteria for any exercise of authority and procedures for a delegation of authority.

''(c) ANNUITANTS NOT TREATED AS EMPLOYEES FOR PURPOSES OF RETIREMENT BENEFITS.—An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5, United States Code.''.

(2) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Section 625 of the Foreign Assistance Act of 1961 (22 U.S.C. 2385) is amended by adding at the end the following new subsection:

''(j)(1)(A) The Administrator of the United States Agency for International Development may waive the application of the provisions of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis for employment of an annuitant in a position in the United States Agency for International Development for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.

''(B) The authority of the Administrator under subparagraph (A) shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

''(2) The Administrator should prescribe procedures for the exercise of any authority under this subsection, including criteria for any exercise of authority and procedures for a delegation of authority.

''(3) An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5, United States Code.''.

(c) REPORT ON USE OF ANNUITY LIMITATION WAIVER AUTHORITY.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Homeland Security and Government Affairs of the Senate and the Committee on International Relations and the Committee on Government Reform of the House of Representatives a report on the exercise of the waiver authorities provided under section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)), as amended by subsection (a), section 61 of the State Department Basic Authorities Act of 1956, as added by subsection (b)(1), and section 625(j) of the Foreign Assistance Act of 1961, as added by subsection (b)(2). The report shall include the number and type of positions that have been filled under such waiver authority, and the retirement date, former job title, and new job title of each annuitant reemployed under such authority.

(d) HOME LEAVE PROVISIONS.—

(1) TRAVEL EXPENSES FOR REST AND RECUPERATION TRAVEL.—Section 901(6) of the Foreign Service Act (22 U.S.C. 4081(6)) is amended by striking ''unbroken by home leave'' each place it appears.

(2) AUTHORITY TO REQUIRE LEAVES OF ABSENCE.—Section 903(a) of the Foreign Service Act (22 U.S.C. 4083) is amended by striking ''18 months'' and inserting ''12 months''.

(e) AUTHORITY TO PROVIDE ACCOMMODATION AND SUBSISTENCE TO INDIVIDUALS SERVING IN IRAQ AND AFGHANISTAN.—The Secretary of State may provide during any fiscal year, with or without reimbursement, accommodation and subsistence to personnel in Iraq and Afghanistan for whom the Chief of Mission is responsible.

SA 3598. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 253, between lines 19 and 20, insert the following:

TITLE VIII—HIGHWAY FUEL TAX HOLIDAY

SEC. 8001. HIGHWAY FUEL TAX HOLIDAY.

(a) TEMPORARY ELIMINATION OF HIGHWAY FUEL TAXES ON GASOLINE, DIESEL FUEL, AND KEROSENE.—

(1) IN GENERAL.—Section 4081 of the Internal Revenue Code of 1986 (relating to imposition of tax on gasoline, diesel fuel, and kerosene) is amended by adding at the end the following new subsection:

''(f) TEMPORARY REDUCTION IN TAXES ON GASOLINE, DIESEL FUEL, AND KEROSENE.—

''(1) IN GENERAL.—During the applicable period, each rate of tax referred to in paragraph (2) shall be reduced to zero cents per gallon.

''(2) RATES OF TAX.—The rates of tax referred to in this paragraph are the rates of tax otherwise applicable under—

''(A) clauses (i) and (iii) of subsection (a)(2)(A) (relating to gasoline, diesel fuel, and kerosene), determined with regard to subsection (a)(2)(B) and without regard to subsection (a)(2)(C), and

''(B) paragraph (1) of section 4041(a) (relating to diesel fuel and kerosene) with respect to fuel sold for use or used in a diesel-powered highway vehicle.

''(3) APPLICABLE PERIOD.—For purposes of this subsection, the term 'applicable period' means the 60-day period beginning with the day after the date of the enactment of this subsection.

''(4) MAINTENANCE OF TRUST FUND DEPOSITS.—In determining the amounts to be appropriated to the Highway Trust Fund under section 9503 and to the Leaking Underground Storage Tank Trust Fund under 9508, an amount equal to the reduction in revenues to the Treasury by reason of this subsection shall be treated as taxes received in the Treasury under this section or section 4041.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the date of the enactment of this Act.

(b) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before the tax reduction date, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid, and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale, there shall be credited or refunded (without interest) to the person who paid such tax (hereafter in this subsection referred to as the ''taxpayer'') an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on the tax reduction date.

(2) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this subsection unless—

(A) claim therefor is filed with the Secretary of the Treasury before the date which is 6 months after the tax reduction date, and

(B) in any case where liquid is held by a dealer (other than the taxpayer) on the tax reduction date—

(i) the dealer submits a request for refund or credit to the taxpayer before the date

which is 3 months after the tax reduction date, and

(ii) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(3) DEFINITIONS.—For purposes of this subsection—

(A) the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code; except that the term ''dealer'' includes a producer, and

(B) the term ''tax reduction date'' means the day after the date of the enactment of this Act.

(4) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 of such Code shall apply for purposes of this subsection.

(c) FLOOR STOCKS TAX.—

(1) IMPOSITION OF TAX.—In the case of any liquid on which tax would have been imposed under section 4081 of the Internal Revenue Code of 1986 during the applicable period but for the amendments made by subsection (a), and which is held on the floor stocks tax date by any person, there is hereby imposed a floor stocks tax in an amount equal to the tax which would be imposed on such liquid had the taxable event occurred on the floor stocks tax date.

(2) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(A) LIABILITY FOR TAX.—A person holding a liquid on the floor stocks tax date to which the tax imposed by paragraph (1) applies shall be liable for such tax.

(B) METHOD OF PAYMENT.—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe.

(C) TIME FOR PAYMENT.—The tax imposed by paragraph (1) shall be paid on or before the date which is 6 months after the floor stocks tax date.

(3) DEFINITIONS.—For purposes of this subsection—

(A) HELD BY A PERSON.—A liquid shall be considered as ''held by a person'' if title thereto has passed to such person (whether or not delivery to the person has been made).

(B) GASOLINE AND DIESEL FUEL.—The terms ''gasoline'' and ''diesel fuel'' have the respective meanings given such terms by section 4083 of such Code.

(C) FLOOR STOCKS TAX DATE.—The term ''floor stocks tax date'' means the day after the date determined by the Secretary under section 4081(f)(3) of such Code.

(D) APPLICABLE PERIOD.—The term ''applicable period'' means the period described in section 4081(f)(3) of such Code.

(E) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury or the Secretary's delegate.

(4) EXCEPTION FOR EXEMPT USES.—The tax imposed by paragraph (1) shall not apply to gasoline, diesel fuel, or kerosene held by any person exclusively for any use to the extent a credit or refund of the tax imposed by section 4081 of such Code is allowable for such use.

(5) EXCEPTION FOR FUEL HELD IN VEHICLE TANK.—No tax shall be imposed by paragraph (1) on gasoline, diesel fuel, or kerosene held in the tank of a motor vehicle.

(6) EXCEPTION FOR CERTAIN AMOUNTS OF FUEL.—

(A) IN GENERAL.—No tax shall be imposed by paragraph (1)—

(i) on gasoline (other than aviation gasoline) held on the floor stocks tax date by any person if the aggregate amount of gasoline held by such person on such date does not exceed 4,000 gallons, and

(ii) on diesel fuel or kerosene held on such date by any person if the aggregate amount of diesel fuel or kerosene held by such person on such date does not exceed 2,000 gallons.

The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this subparagraph.

(B) EXEMPT FUEL.—For purposes of subparagraph (A), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by paragraph (1) by reason of paragraph (4) or (5).

(C) CONTROLLED GROUPS.—For purposes of this paragraph—

(i) CORPORATIONS.—

(I) IN GENERAL.—All persons treated as a controlled group shall be treated as 1 person.

(II) CONTROLLED GROUP.—The term ''controlled group'' has the meaning given to such term by subsection (a) of section 1563 of such Code; except that for such purposes the phrase ''more than 50 percent'' shall be substituted for the phrase ''at least 80 percent'' each place it appears in such subsection.

(ii) NONINCORPORATED PERSONS UNDER COMMON CONTROL.—Under regulations prescribed by the Secretary, principles similar to the principles of clause (i) shall apply to a group of persons under common control where 1 or more of such persons is not a corporation.

(7) OTHER LAW APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 4081 of such Code shall, insofar as applicable and not inconsistent with the provisions of this paragraph, apply with respect to the floor stock taxes imposed by paragraph (1) to the same extent as if such taxes were imposed by such section 4081.

(d) BENEFITS OF TAX REDUCTION SHOULD BE PASSED ON TO CONSUMERS.—

(1) PASSTHROUGH TO CONSUMERS.—

(A) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) consumers immediately receive the benefit of the reduction in taxes under this section, and

(ii) transportation motor fuels producers and other dealers take such actions as necessary to reduce transportation motor fuels prices to reflect such reduction, including immediate credits to customer accounts representing tax refunds allowed as credits against excise tax deposit payments under the floor stocks refund provisions of this section.

(B) STUDY.—

(i) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the reduction of taxes under this section to determine whether there has been a passthrough of such reduction.

(ii) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Comptroller General of the United States shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives the results of the study conducted under clause (i).

SEC. 8002. ELIMINATION OF CERTAIN PRODUCTION INCENTIVES.

(a) IN GENERAL.—Sections 342, 344, 345, 346, 353, and 383 and subtitle J of title IX of the Energy Policy Act of 2005 and section 107(k) of the Naval Petroleum Reserves Production Act of 1976 (as added by section 347 of the Energy Policy Act of 2005) are repealed.

(b) EFFECTIVE DATE.—The repeals made by subsection (a) shall take effect on the date of the enactment of the Energy Policy Act of 2005.

SEC. 8003. REVALUATION OF LIFO INVENTORIES OF LARGE INTEGRATED OIL COMPANIES.

(a) GENERAL RULE.—Notwithstanding any other provision of law, if a taxpayer is an applicable integrated oil company for its last taxable year ending in calendar year 2005, the taxpayer shall—

(1) increase, effective as of the close of such taxable year, the value of each historic LIFO layer of inventories of crude oil, natural gas, or any other petroleum product (within the meaning of section 4611) by the layer adjustment amount, and

(2) decrease its cost of goods sold for such taxable year by the aggregate amount of the increases under paragraph (1).

If the aggregate amount of the increases under paragraph (1) exceed the taxpayer's cost of goods sold for such taxable year, the taxpayer's gross income for such taxable year shall be increased by the amount of such excess.

(b) LAYER ADJUSTMENT AMOUNT.—For purposes of this section—

(1) IN GENERAL.—The term ''layer adjustment amount'' means, with respect to any historic LIFO layer, the product of—

(A) $18.75, and

(B) the number of barrels of crude oil (or in the case of natural gas or other petroleum products, the number of barrel-of-oil equivalents) represented by the layer.

(2) BARREL-OF-OIL EQUIVALENT.—The term ''barrel-of-oil equivalent'' has the meaning given such term by section 29(d)(5) (as in effect before its redesignation by the Energy Tax Incentives Act of 2005).

(c) APPLICATION OF REQUIREMENT.—

(1) NO CHANGE IN METHOD OF ACCOUNTING.—Any adjustment required by this section shall not be treated as a change in method of accounting.

(2) UNDERPAYMENTS OF ESTIMATED TAX.—No addition to the tax shall be made under section 6655 of the Internal Revenue Code of 1986 (relating to failure by corporation to pay estimated tax) with respect to any underpayment of an installment required to be paid with respect to the taxable year described in subsection (a) to the extent such underpayment was created or increased by this section.

(d) APPLICABLE INTEGRATED OIL COMPANY.—For purposes of this section, the term ''applicable integrated oil company'' means an integrated oil company (as defined in section 291(b)(4) of the Internal Revenue Code of 1986) which has an average daily worldwide production of crude oil of at least 500,000 barrels for the taxable year and which had gross receipts in excess of $1,000,000,000 for its last taxable year ending during calendar year 2005. For purposes of this subsection all persons treated as a single employer under subsections (a) and (b) of section 52 of the Internal Revenue Code of 1986 shall be treated as 1 person and, in the case of a short taxable year, the rule under section 448(c)(3)(B) shall apply.

SEC. 8004. ELIMINATION OF AMORTIZATION OF GEOLOGICAL AND GEOPHYSICAL EXPENDITURES FOR MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 167(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) NONAPPLICATION TO MAJOR INTEGRATED OIL COMPANIES.—This subsection shall not apply with respect to any expenses paid or incurred for any taxable year by any integrated oil company (as defined in section 291(b)(4)) which has an average daily worldwide production of crude oil of at least 500,000 barrels for such taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the amendment made by section 1329(a) of the Energy Policy Act of 2005.

SEC. 8005. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO LARGE INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 (relating to credit for taxes of foreign countries and of possessions of the United States) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

''(m) SPECIAL RULES RELATING TO LARGE INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

''(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a large integrated oil company to a foreign country or possession of the United States for any period shall not be considered a tax—

''(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

''(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

''(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

''(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

''(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term 'dual capacity taxpayer' means, with respect to any foreign country or possession of the United States, a person who—

''(A) is subject to a levy of such country or possession, and

''(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

''(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'generally applicable income tax' means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

''(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

''(i) persons who are not dual capacity taxpayers, and

''(ii) persons who are citizens or residents of the foreign country or possession.

''(4) LARGE INTEGRATED OIL COMPANY.—For purposes of this subsection, the term 'large integrated oil company' means, with respect to any taxable year, an integrated oil company (as defined in section 291(b)(4)) which—

''(A) had gross receipts in excess of $1,000,000,000 for such taxable year, and

''(B) has an average daily worldwide production of crude oil of at least 500,000 barrels for such taxable year.''

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHELD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

SA 3599. Mr. LUGAR (for himself, Mr. OBAMA, Mr. DOMENICI, Mr. LEVIN, Mr. HAGEL, Mr. REED, Mr. CHAFEE, Mr. DODD, Mr. ALLEN, Mr. BAYH, Mrs. BOXER, Mr. AKAKA, Mr. LAUTENBERG, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 9 and 10, insert the following:

SEC. 1312. (a) The amount appropriated by this chapter under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' and available for Cooperative Threat Reduction is increased by $8,000,000.

(b) Of the amount appropriated by this chapter under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' and available for Cooperative Threat Reduction, as increased by subsection (a), $44,500,000 shall be deposited in the Former Soviet Union Threat Reduction Account and shall remain available until September 30, 2008.

(c) The amount made available under subsection (a) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SA 3600. Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. ENSIGN, and Mrs. MURRAY) proposed an amendment to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of page 248, line 22, insert the following:

SEC. . None of the funds appropriated in Public Law 109–149 under the heading Employment and Training Administration shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II. Where Employment and Training Administration funds appropriated in Public Law 109–149 are used for compensation of an individual, the total federal funding that may go to compensation of that individual shall not exceed a rate in excess of Executive Level II. States may establish a lower limit of total compensation for those receiving compensation from Employment and Training Administration funding employed in that state, taking into account factors including the relative cost-of-living in the state, the compensation levels for comparable state or local government employees, and the size of the organizations that administer federal programs involved including Employment and Training Administration programs.

SA 3601. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 253, between lines 19 and 20, insert the following:

ENVIRONMENTAL PROTECTION AGENCY

SEC. 7032. For an additional amount for ''Environmental Programs and Management'', $1,000,000, to remain available until expended, for assistance relating to assessments and monitoring of waters in the State of Hawaii; *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SA 3602. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 225, beginning on line 2 strike ''eligible to'' and all that follows through line 5 and insert ''eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)).''.

SA 3603. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 246, line 1, strike ''$500,000'' and insert ''$1,400,000''.

On page 246, line 3, insert ''in the State of Hawaii'' after ''dams''.

SA 3604. Mr. REID proposed an amendment to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; as follows:

TITLE ___—BORDER SECURITY

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR BORDER SECURITY

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For an additional amount for the ''Office of the Secretary and Executive Management'' to provide funds for the Office of Policy, $2,000,000: *Provided*, That the entire amount is solely for a contract with an independent non-Federal entity to conduct a needs assessment for comprehensive border security: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE CHIEF INFORMATION OFFICER

For an additional amount for the ''Office of the Chief Information Officer'' to replace and upgrade law enforcement communications, $50,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES VISITOR AND IMMIGRATION STATUS INDICATOR TECHNOLOGY

For an additional amount for ''United States Visitor and Immigration Status Indicator Technology'' to accelerate biometric database integration and conversion to 10–print enrollment, $60,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $180,000,000, of which $80,000,000 is for border patrol vehicle replacement and $100,000,000 is for sensor and surveillance technology: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure of these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'' to replace air assets and upgrade air operations facilities, $790,000,000, to remain available until expended, of which $40,000,000 is for helicopter replacement and $750,000,000 is for recapitalization of air assets: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve an expenditure plan for the complete recapitalization of Customs and Border Protection air assets and facilities: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for ''Construction'', $120,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure for these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to replace vehicles, $80,000,000: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'' for acquisition, construction, renovation, and improvement of vessels, aircraft, and equipment, $600,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for ''Acquisition, Construction, Improvements, and Related Expenses'' for construction of the language training facility referenced in the Master Plan and information technology infrastructure improvements, $18,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SA 3605. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 193, line 25, insert after ''*Provided*,'' the following: ''That the Navy, acting through the Naval Facilities Engineering Command, shall be the agent for all matters with regard to the planning, design, construction, and contract administration related to the construction of the new Armed Forces Retirement Home: *Provided further*,''.

SA 3606. Mr. SMITH submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 172, lines 15 through 17, strike ''for necessary expenses'' and all that follows through ''$20,000,000'' and insert the following: ''$543,081,496, of which $523,081,496 shall be made available to make safety net payments for fiscal year 2007 under section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note), to remain available until expended, and $20,000,000 shall be made available for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season''.

SA 3607. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 196, strike line 18 and all that follows through page 197, line 16.

SA 3608. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, strike line 4 and all that follows through page 158, line 17.

SA 3609. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following: Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available in title II, chapter 2 of this Act, for the National Oceanic and Atmospheric Administration under the heading ''Operations, Research, and Facilities'' may be available for the National Marine Fisheries Service to implement seafood promotion strategies, and the amount made available under such heading is reduced by $15,000,000.

SA 3610. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following: Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available in title II, chapter 2 of this Act, for the National Oceanic and Atmospheric Administration under the heading ''Operations, Research, and Facilities'' may be available for the National Marine Fisheries Service for oyster bed and shrimp ground rehabilition, and the amount made available under such heading is reduced by $100,000,000.

SA 3611. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following: Notwithstanding any other provision of this Act, Sec. 7030(a) of this Act shall not take effect.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Monday, May 1, 2006 at 2:30 p.m. in room SD–366 of the Dirksen Building.

The purpose of the hearing is to receive testimony regarding the economic and environmental issues associated with coal gasification technology and on implementation of the provisions of the Energy Policy Act of 2005 addressing coal gasification.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact John Peschke 202–224–4797 or Shannon Ewan at 202–224–7555.

AUTHORITIES FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 25, 2006, at 10 a.m. to conduct a hearing on ''A Review of Current Securities Issues.''

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

COMMITTEE ON FINANCE

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, April 25, 2006, at 10:30 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''The Social and Economic Effects of the Methamphetamine Epidemic on America's Child Welfare System''.

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

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Immigration: Economic Impacts'' on Tuesday, April 25, 2006, at 9:30 a.m. in Room 226 of the Dirksen Senate Office Building.

Panel I: Richard B. Freeman, Professor of Economics, Harvard University, Program Director of Labor Studies, National Bureau of Economic Research, Cambridge, MA; Dan Siciliano, Executive Director, Program in Law, Economics and Business, Stanford Law School, Stanford, CA; Barry R. Chiswick, Professor of Economics, University of Illinois at Chicago, Chicago, IL; Harry J. Holzer, Professor of Public Policy, Georgetown University, Washington, DC.

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

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Judicial Nominations'' on Tuesday, April 25, 2006, at 2:15 p.m., in Room 226 of the Dirksen Senate Office Building.

Panel I: The Honorable Frank Lautenberg, United States Senator, D–NJ; The Honorable Robert Menendez, United States Senator, R–NJ; The Honorable Barbara Boxer, United States Senator, D–CA; The Honorable Gordan Smith, United States Senator, R–OR.

Panel II: Milan D. Smith, Jr. to be United States Circuit Judge for the Ninth Circuit.

Panel III: Renee Marie Bumb to be United States District Judge for the District of New Jersey; Noel Lawrence Hillman to be United States District Judge for the District of New Jersey; Peter G. Sheridan to be United States District Judge for the District of New Jersey; and Susan Davis Wigenton to be United States District Judge for the District of New Jersey.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION AND INTERNATIONAL SECURITY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Tuesday, April 25, 2006, at 2:30 p.m., for a field hearing regarding ''North Korea: Illicit Activity Funding the Regime.''

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

SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space be authorized to meet on Tuesday, April 25, 2006, at 2:30 p.m., on NASA.

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

PRIVILEGES OF THE FLOOR

Mr. COCHRAN. Mr. President, I ask unanimous consent Mr. Les Spivey, Mr. B.G. Wright, Ms. Rachel Taylor, and Ms. Mary Catherine Fitzpatrick of the Committee on Appropriations be granted full floor access during the consideration of H.R. 4939, the fiscal year 2006 emergency supplemental appropriations bill.

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

Mr. COCHRAN. Mr. President, I further ask unanimous consent that Mr. Mike Morrissey, Mr. Kevin Templin, and Dr. Leigh Ann Ross of my personal office staff be granted privilege of the floor during consideration of this bill.

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

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I ask unanimous consent that Michael Pollock and Alison Garfield, detailees with the Defense Appropriations Subcommittee, be granted the privilege of the floor during consideration of the fiscal year 2006 supplemental and the fiscal year 2007 Defense appropriations bills; and that Rose Fabia, a detailee to the Appropriations Committee from the Department of Veterans Affairs, be granted the privilege of the floor for the remainder of the debate on H.R. 4939.

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

Mr. REID. Mr. President, on behalf of Senator KENNEDY, I ask unanimous consent that a State Department fellow in his office, Richard Driscoll, be granted floor privileges during the consideration of the supplemental appropriations bill, and that Navy detailee Tom Crowley also be granted the same privilege.

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

Mr. REID. Mr. President, on behalf of Senator JEFFORDS, I ask unanimous consent that April Richards, a professional staff member of the Senate Committee on Environment and Public Works, be granted floor privileges during the consideration of H.R. 4939.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the Second Session of the 109th Congress: the Honorable PATRICK J. LEAHY of Vermont and the Honorable DANIEL K. AKAKA of Hawaii.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appoints the following individual to the United States Commission on International Religious Freedom: Preeta D. Bansal of Nebraska, for a term of two years (May 15, 2006–May 14, 2008).

FRANCIS R. VALEO, FORMER SECRETARY OF THE SENATE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 443, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 443) relative to the death of Francis R. Valeo, former Secretary of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 443) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 443

Whereas Francis R. (Frank) Valeo served with distinction as chief of the Foreign Affairs Division of the Legislative Reference Service and specialist in the Far East, before beginning his service to the United States Senate in 1952 on the staff of the Committee on Foreign Relations;

Whereas Frank Valeo in 1958 became foreign policy advisor and assistant to the Majority Whip, Senator Mike Mansfield, and then served as Majority Secretary from 1963 to 1966;

Whereas Frank Valeo served as Secretary of the Senate from 1966 to 1977;

Whereas Frank Valeo accompanied many United States Senators on missions to all parts of the globe, assisted the Majority Leader in regularly reporting on conditions in Southeast Asia, and was part of the first congressional delegation to visit the People's Republic of China in 1972;

Whereas Frank Valeo represented the United States Senate on the Federal Election Commission from 1974 to 1977, and in that role participated in the 1976 landmark Supreme Court decision of Buckley v. Valeo;

Whereas Frank Valeo helped to modernize and set professional standards for service in the diverse offices that report to the Secretary of the Senate, and served as a member of the Commission on the Operation of the Senate, from 1975 to 1976, where he helped craft its proposals for structural and technological reforms in Senate operations;

Whereas Frank Valeo faithfully discharged the difficult duties and responsibilities of a wide variety of important and demanding positions in public life with honesty, integrity, loyalty, and humanity; and

Whereas Frank Valeo's clear understanding and appreciation of the challenges facing the Nation have left his mark on those many areas of public life: Now, therefore, be it

Resolved, That (a) the Senate has heard with profound sorrow and deep regret the announcement of the death of Frank Valeo.

(b) The Secretary of the Senate shall communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

(c) When the Senate adjourns today, it shall stand adjourned as a further mark of respect to the memory of Frank Valeo.

COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN JEWISH COMMITTEE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 444, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 444) commemorating the 100th anniversary of the founding of the American Jewish Committee.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 444) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 444

Whereas the American Jewish Committee, after its founding in 1906, rapidly emerged as a pioneering human relations agency, dedicated to combating all forms of bigotry and championing a sense of shared civic responsibility;

Whereas the American Jewish Committee, through a range of innovative projects and programs, seeks to build a more hopeful world by expanding freedom, enhancing mutual respect, monitoring hate groups, and providing vital information about extremists of every type;

Whereas the American Jewish Committee has strengthened the culture of the United States in historic ways through programs that teach tolerance, such as America's Table, through far-reaching dialogues with ethnic and religious group in the country, through promoting interfaith awareness and playing a key role in the issuance of Nostra Aetate, and through steadfast support of vulnerable individuals throughout history;

Whereas the American Jewish Committee, the first American Jewish organization to establish a full-time office in Israel, has worked tirelessly to tell the extraordinary story of Israel through a range of endeavors, including Project Interchange, which has brought more than 3,000 American leaders to the Jewish state for journeys of discovery and understanding;

Whereas the American Jewish Committee, through its network of offices and associations in the United States and across the globe, works with many countries, the United Nations, and other international bodies to promote democratic ideals and to protect and uplift Jewish communities everywhere;

Whereas the American Jewish Committee, through advocacy and education, indefatigably defends and protects the treasured civic values of the United States, including religious freedom, and support for public education and the family;

Whereas the American Jewish Committee sponsored research cited in the landmark Supreme Court case banning segregation, Brown et al. v. Board of Education of Topeka et al., and played a vital role in the civil rights movement, stood with Soviet Jewry and all prisoners of conscience in the Soviet Union, argued successfully for the inclusion of human rights clauses in the United Nations Charter, and insisted upon an acceptance of women's rights as a human rights issue; and

Whereas the American Jewish Committee, at work both on the world stage and here at home, for a century has had a proud and profoundly beneficial presence throughout the communities of the United States: Now, therefore, be it

Resolved, That—

(1) the American Jewish Committee, by choosing hope, inspires everyone in the United States as it continues its work into its second century of service; and

(2) the Senate salutes, commends, and congratulates the American Jewish Committee for its century of leadership.

HOLOCAUST REMEMBRANCE DAY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 445, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 445) expressing the sense of the Senate in commemorating Holocaust Remembrance Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, earlier today, this body voiced its support for a resolution commemorating the Holocaust—the Shoah—Nazi Germany's systematic effort to exterminate the Jewish people.

For anybody who questions the existence of evil, the Nazi regime's deliberate murder of 6 million Jewish men, women, and children should settle all doubts.

Today, people all over the world will mark Yom HaShoah, Holocaust Remembrance Day. At 10 o'clock local time today in Israel, a loud siren sounded throughout the country. Motorists pulled their cars aside and office workers stepped away from their computers. Everyone in the nation paused for a moment of silence in commemoration of the Holocaust.

Beginning with the Kristallnach Pogram on November 8 and 9, 1938, the Nazi government embarked on a systematic, deliberate campaign of cold-blooded murder. Families were stripped of their possessions and killing squads roamed the countryside. Millions upon millions of Jewish people were brought to concentration camps where the Nazi regime killed most immediately and sent some to work as slave laborers.

The Jewish people did not meekly submit to the Nazi onslaught. They fought back: 63 years ago this month, a group of 750 lightly armed Jewish partisans began the Warsaw Ghetto Uprising. Knowing that the Nazis planned to deport and murder them, the Jewish residents remaining in Warsaw staged occupied Europe's first ever organized urban rebellion against Nazi tyranny. They fought heroically and delayed the deportation for over a month.

During the Holocaust's 7 years, the Nazis did incalculable damage to ancient Jewish communities within Europe. In many parts of central Europe, few Jews remain today. But Hitler's evil plan failed utterly. He did not destroy the Jewish people. Millions survived. Many came to the United States. And many settled in what is now the prosperous, thriving, and democratic State of Israel.

Over the past year, 5 year olds who survived the Nazi death camps became eligible to receive Social Security benefits. Eighteen-year-old GIs who took part in the camps' liberation will turn 80 next year. Personal memor1es of the Holocaust are quickly disappearing.

We have an obligation to keep these memories alive even after these people pass on.

Through the United States Holocaust Memorial Museum, Tennessee's own Holocaust Memorial in Nashville, and Israel's Yad Vashem Holocaust Martyrs' and Heroes' Remembrance Authority we have established places dedicated to making sure that we remember the Holocaust.

It is the least we can do. We owe this debt of memory to ourselves, to our children, to the Nation, and to the world.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 445) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 445

Whereas the Holocaust involved the systematic persecution and genocide of millions of innocent Jewish men, women, and children, along with millions of others, by the Nazis under the leadership of Adolf Hitler;

Whereas an estimated 6,000,000 Jews and many others were killed in the Holocaust;

Whereas millions of survivors of the Holocaust endured enormous suffering through violence, torture, slave labor, and involuntary medical experimentation;

Whereas in the 61 years since the end of the Holocaust, this tragic event has helped to teach the people of the world awareness of the danger of hatred, anti-Semitism, bigotry, and racism, and the importance of compassion and understanding diversity;

Whereas Holocaust Remembrance Day is held every year in remembrance of the Holocaust and its millions of victims: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates Holocaust Remembrance Day, which falls on April 25, 2006;

(2) remembers the 6,000,000 Jews and many others who were killed by the Nazis, and honors the millions of survivors of the Holocaust; and

(3) encourages all Americans to commemorate the occasion through reflection, acts of compassion, and education about the horrific consequences of anti-Semitism, bigotry, racism and hatred.

ORDERS FOR WEDNESDAY, APRIL 26, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, April 26. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period for the transaction of morning business for up to 30 minutes, with the first 15 minutes under control of the Democratic leader or his designee, and the final 15 minutes under the control of the majority leader or his designee; further, following morning business, the Senate resume consideration of H.R. 4939, the emergency supplemental appropriations bill, and that with respect to the consent agreement regarding the rollcall votes at noon tomorrow, there be no intervening action or debate.

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

PROGRAM

Mr. FRIST. Mr. President, under an agreement reached this afternoon, we will have two votes tomorrow at 12 noon. The votes will be on the Gregg and Reid amendments regarding border security. These will be the first votes of the day. Additional votes are expected tomorrow afternoon.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment as a further mark of respect for the late Frank Valeo.

There being no objection, the Senate, at 6:53 p.m., adjourned until Wednesday, April 26, 2006, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 25, 2006:

DEPARTMENT OF DEFENSE

SUE C. PAYTON, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE MARVIN R. SAMBUR.

FEDERAL COMMUNICATIONS COMMISSION

KEVIN J. MARTIN, OF NORTH CAROLINA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2006. (REAPPOINTMENT)

DEPARTMENT OF STATE

APRIL H. FOLEY, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HUNGARY.

TRACEY ANN JACOBSON, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

GADDI H. VASQUEZ, OF CALIFORNIA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE.

DEPARTMENT OF EDUCATION

LAWRENCE A. WARDER, OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF EDUCATION, VICE JACK MARTIN, RESIGNED.

THE JUDICIARY

FRANCES MARIE TYDINGCO-GATEWOOD, OF GUAM, TO BE JUDGE FOR THE DISTRICT COURT OF GUAM FOR THE TERM OF TEN YEARS, VICE JOHN S. UNPINGCO, TERM EXPIRED.

SMALL BUSINESS ADMINISTRATION

STEVEN C. PRESTON, OF ILLINOIS, TO BE ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, VICE HECTOR V. BARRETO, JR., RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. WILLIAM M. FRASER III, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) THOMAS R. CULLISON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF CHAPLAINS, UNITED STATES NAVY, AND APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 5142:

To be rear admiral

REAR ADM. (LH) ROBERT F. BURT, 0000

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, April 25, 2006:

THE JUDICIARY

GRAY HAMPTON MILLER, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

EXTENSIONS OF REMARKS

IN HONOR AND RECOGNITION OF THE ASSOCIATION OF OHIO COMMODORES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. KUCINICH. Mr. Speaker, I rise to honor and congratulate the Association of Ohio Commodores. Celebrating their 40th anniversary this year, the association has traveled the globe as Ohio's preeminent ambassadors to international commerce.

Founded in 1966 by Governor James A. Rhodes in honor of Commodore Oliver Hazard Perry, the hero of the Battle of Lake Erie, the Ohio Commodores have served various missions around the world as official representatives of the State. From the Japanese Ambassador and the Governor of Ohio's sister province in Korea, to the Consul Generals of Canada, Mexico, Brazil and Argentina, they have acted as the official hosts to foreign dignitaries visiting Ohio.

Since its inception, the association has invited over 300 men and women to join the ranks of Commodores. Considered Ohio's ''most distinguished honor,'' government officials, lawmakers, leaders in higher education, and business leaders have all been recognized for their contributions to the economic strength of the State.

Mr. Speaker and colleagues, please join me in honor and congratulation of the Association of Ohio Commodores, which has dedicated the past four decades to honor the finest Ohioans and ensure a bright future for the Buckeye State.

PAYING TRIBUTE TO DANIEL SKINKIS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Daniel Skinkis for more than two decades of volunteer work in Southern Nevada.

Daniel Skinkis has founded several outreach programs over the past 22 years and speaks publicly each week at homeless shelters to help addicted and disenfranchised members of society turn their lives around. From 1988 to 1993, Mr. Skinkis ran a private fellowship in Henderson, NV, for young people with addictions, called Witness Outreach. In addition, Mr. Skinkis started Desert Homeless Outreach over 20 years ago as a place where homeless people talk about issues they face and work toward resolving them. Most recently, these efforts to assist the homeless community have earned Mr. Skinkis the prestigious Jefferson Award bestowed by the American Institute for Public Service.

Mr. Speaker, I am proud to honor Daniel Skinkis for his admirable work with the community in an effort to enrich the lives of disenfranchised and impoverished people. I wish him the best in his future efforts.

TRIBUTE TO WILLIAM MOCK

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. SHUSTER. Mr. Speaker, I rise today to honor William Mock, who has been named Historian of the Year by the Bedford County Historical Society. Bill, a Vietnam veteran and retired biology teacher from Bedford County, will be honored with this distinguished award at the Bedford County Historical Society's annual banquet in April.

Bedford County is an area rich with historical value and meaning, dating back to the revolutionary era. Bill has worked to promote it by proposing the establishment of a Bedford County historical center to exhibit historical records and artifacts from the area. As he often says of himself, Bill lives in the past. His love of history has propelled him to take on many meaningful, honorable activities to commemorate our Nation's heroes and ensure they are never forgotten.

A member of the Bedford County Historical Society, the Gettysburg Blues and the Sons of the Union Veterans of the Civil War Gettysburg Camp No. 112, Bill takes immense pride in working with these organizations to preserve our Nation's history. He planned and executed the rededication of the Pennsylvania Monument in Andersonville National Cemetery for its 1OOth anniversary. To mark the occasion, Bill spent months researching and fundraising to reproduce the 138th Pennsylvania Volunteer Infantry Regimental flag, which he carried in the March of Honor to the monument.

William Mock's dedication to the preservation of our local and national history is admirable, and we can hope that others will follow in his footsteps and view our history with the same pride and honor as those that came before us.

SWEARING-IN ''DAISY'' WITH THE LEWISVILLE FIRE DEPARTMENT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BURGESS. Mr. Speaker, I rise today to honor Daisy, the most recent member of the Lewisville Fire Department in North Texas. Daisy is a 1½ year old yellow lab that was previously under the training of the Bureau of Alcohol, Tobacco, and Firearms. She has achieved a reputation within the community as a very capable instrument in the detection of explosives.

Daisy and Division Chief Terry McGrath trained together for ten straight weeks in Virginia. This training consisted of various conditioning and learning skills that trained both Daisy and her handler. The two were educated in the many different scenarios that could very well be encountered in the line of duty. Daisy is trained to recognize 18,000 different scents that may be linked to explosive devices.

The Lewisville Fire Department was contacted by an ATF agent in the Dallas Regional Office to see if they would participate in the program and would welcome Daisy as a valuable member of the force. Needless to say, they were more than thrilled with the opportunity to be able to provide a highly trained dog like Daisy for the safety of the entire North Texas region.

I am pleased to join in with the rest of the Lewisville Fire Department in welcoming Daisy as their latest member. Her devotion to her handler, the department and the safety of the public makes her an invaluable asset to the community.

HONORING THE OAKTON HIGH SCHOOL FOOTBALL TEAM'S STATE CHAMPIONSHIP

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. TOM DAVIS of Virginia. Mr. Speaker, today I would like to honor the Oakton High School Cougars football team, who won the 2005 Virginia High School League Group AAA, Division 6 State Championship.

On Saturday, December 10, 2005 at Darling Stadium in Hampton, the Cougars all but shut down the Landstown Eagle's infamous passing game, accumulating 401 total rushing yards against the Eagles' defense.

Led by head coach, Joe Thompson, and his assistant coaching staff, David Foley, John Glufling, Tom Goggin, Bryan Gordon, J.J. Hetman, Brent Newell, Kolapo Olarinde, Pat Purcell, Jason Rowley, Donny Samson, Rick Wells, Joe Drewer and Packy Purcell, the Cougars trained intensively throughout a dramatic and triumphant season. The Cougars dedication and teamwork culminated in their 28–7 state title victory, the first in Oakton High School's history.

I congratulate all the talented members of the Virginia High School League Group AAA, Division 6 State Champion Cougars: Keith Payne, Thomas Rupp, Michael Lee, Handel Stephen-Dowd, Ervin Gamer, Adrien Laffitte-Smith, Donald Murphy, Brian Sweeny, Aaron Dishner, Stephen Poumaras, Mark Davis, Curtis Eward, Bradley Rhodes, Kumail Baig, Kevin Houghton, Derek Zimmerman, Tyler Morris, Ilyas Karimov, Sean Purcell, Erich Kottke, Alex Wargo, Connor Madden, David Kidwell, Trey Watts, Peyton Mahaffey, David Shumway, Dylan Grimm, Justin White, John

Henry, Chris Rainwater, Ryan Harris, Mike Bautista, Chris Coyer, Jack Tyler, Jackson Kibler, Kevin Swanson, Taylor Naleppa, Jonathan Kedrock, Justin Otley, Josh Nelson, Mark Bleiweis, David Crain, Jim Roberts, Zachary Capozzoli, Patrick Tyler, Jeremy Rudolph, Carl Myrville, Bo Farrar, Flory Niyonkuru, Alex Hanson, Joshua Lewin, Kevin Miller, Jared Ruppert, Evan Fiore, Tim Seeger, Asif Kazmi, Gavin Wait, Jared Green, Rob Koster, Mark Larsen, Clark Scheible, Marques Wilson, Kevin Schweiker, Ryan Keely, Mike Shvenderman, Joe Sullivan, Drew Whalen, Joey McCallum, Thomas Vitale, Kevin Culkin, James Wheatley, Chad Faulkner, Michael Pournaras, Wade Reynolds, Kenny Hanson, and Morad Motamedi (Manager)

Mr. Speaker, it is my pleasure to honor their championship, and to wish them all the best in their future endeavors.

H.R. 609 FAILS AMERICA'S STUDENTS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CONYERS. Mr. Speaker, I stand today in opposition to H.R. 609, the so-called ''College Access and Opportunity Act,'' because it creates greater problems in providing financial assistance for college students, and will lead to graduates inheriting greater debt. The Republicans have chosen to neglect young Americans who need assistance with the costs of higher education. A number of academic organizations oppose this legislation including The National Education Association, the United States Student Association, and The American Federation of Teachers. The Democratic alternative to this bill helps those students and their families who cannot afford the skyrocketing costs of college tuition in America today.

This legislation is problematic because it produces a number of obstacles which could interfere with students' ability to pursue higher education. It fails to make college more affordable for Americans falling in the low- and middle-income brackets by prohibiting them from consolidating their loans while in school or during the six month grace period directly following graduation. The ''College Access and Opportunity Act'' also revokes a student's ability to secure a low fixed-interest rate. In addition, it bars married couples from consolidating their student loans with their spouses.

The Republicans claim they are for strengthening Pell grants when the truth is that over the last four years, their legislation has done the exact opposite. In 2000, the maximum Pell grant covered about 41% of tuition expenses. Now, in 2006, the maximum Pell grant barely covers a third of tuition expenses. Students are unable to cover this gap. This bill creates problems in the long run which will prevent millions of students from attending college simply because they cannot afford it and because the Republicans in Congress have refused to make higher education a priority.

Students and their families deserve more than what this resolution offers. That is why I will be supporting the more comprehensive approach found in the Democratic alternative, the Miller-Kildee-Scott-Davis-Grijalva amendment.

The Democratic alternative offers many benefits to college students and their families. It cuts the college loan fixed interest rate in half from 6.8% to 3.4%. This will provide protection to students who use loans to finance their education. The Democratic alternative also provides funding for programs that support low-income black and Hispanic students.

Today nearly two-thirds of all American college students graduate with debt—up from one-third in 1993—and a typical student borrower graduates from college with $17,500 in debt. The Republicans in Congress have taken $12.5 billion dollars out of student aid accounts to pay for their tax cuts and now, with this bill, students will suffer the burden of higher interest rates, new fees, and more debt while in school and after graduation. Congress should create more opportunity for America's student, not less. H.R. 609 hurts students and their families who cannot afford the cost of higher education.

TRIBUTE FOR JOSE ''LEFTY'' MARTINEZ

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CUELLAR. Mr. Speaker, I rise today to honor Jose ''Lefty'' Martinez, a lifelong resident of Laredo, for his bravery and service to the nation during World War II, Korea, and Vietnam. Jose Martinez passed away recently on March 23rd, 2006, in San Antonio, Texas.

There were many that lost their lives during World War II, however, Lefty Martinez's valiant return reminded us of the sacrifices made in defending our freedom and liberty. It was the call to service that drew Lefty at the age of seventeen. It was March 1946, when Lefty had enlisted in the Marine Corps, which took him to the Barbers Point Naval Air Station in Hawaii, working on C–46 and C–54 aircraft transports.

When his two-year tour was cut to fifteen months, however, he remained with aviation for years after he left the Marine Corps as a civilian contractor. Veterans' training benefits gave him the opportunity to receive federal licensing as an aircraft mechanic, enabling him to serve all over the United States and in places such as the Philippines, Thailand, France, and Vietnam. In Vietnam, he lost half of his civilian contract crew during the 1968 Tet Offensive, and shortly afterwards, he returned back to Laredo, Texas.

In Laredo, Lefty joined veteran organizations and was the commander of the Catholic War Veterans Post 1908. He also was a former member of the American Legion, VFW, Marine Corps League and Vietnam Veterans of America. He was an active member of the Knights of Columbus, Fourth Degree Assembly No. 2565, and a former member of the Laredo Evening Lions Club and the Webb County Heritage Foundation.

What I remember about Lefty was his dedication to his country. In the spare time he had, he always stopped by the middle and high schools to talk about his war experiences, and he showed the importance in serving one's country with honor and dignity. It is a great loss to this country to have lost such a great veteran, and I hope we will continue to treat our veterans today with the respect they deserve.

Mr. Speaker, I am honored to have had this time to recognize the bravery and dedication of Jose ''Lefty'' Martinez.

PAYING TRIBUTE TO KATHY A. BATTERMAN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Kathy L. Batterman who became one of the first crew members for ''Flight for Life'' and was the first certified flight nurse in the United States. Mrs. Batterman's life was tragically cut short in the line of duty when, on April 4, 1999, the ''Flight for Life'' helicopter crashed in Indian Springs Nevada during a bizarre snowstorm after transporting a patient to a Las Vegas hospital.

During her career Kathy flew over 3,000 rescue flights and is credited with saving thousands of lives. Kathy epitomized excellence in all aspects of nursing. Not only was she one of America's premiere flight nurses, she was a certified flight registered nurse, an advanced trauma specialist, and Nevada's first pre-hospital nurse practitioner. Kathy was a respected educator and a pioneer of EMS education in Nevada. Her contagious energetic spirit, encouraging smile, and enthusiasm inspired many others to do their best. Kathy was also instrumental in placing a second ''Flight for Life'' base in Pahrump, Nevada recognizing how crucial the response time is for those needing emergency care in the outlying rural communities around Las Vegas. Not only was she a magnificent flight nurse, she was also a caring and devoted wife and mother.

Mr. Speaker, I am proud to honor Kathy A. Batterman for her dedication to providing emergency medical service to the Las Vegas and outlying community. Her death is a profound loss to the community and the medical profession.

IN HONOR AND RECOGNITION OF JAMES ANTHONY ZACK, A CHAMPION OF LABOR

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the life of James Anthony Zack, who was truly a champion for the rights of working people in northeast Ohio and a proud and dedicated Teamster.

Jim served for 18 years as a Union Trustee, Vice President, and in June of 1997, was elected President of Teamsters Local #1164. He was constantly working to further his knowledge of the issues and areas of concern to Ohio's working families. In 2002, he received a certificate in labor relations from Cleveland State University.

A 1958 graduate of Elyria High School, Jim had over 25 years in sales at Pepsi Cola of Elyria, close to 23 of which were as a driver salesman. Additionally, Jim owned and operated his own businesses as a distributor for 7-Up and Pepsi.

Well liked by those who knew him, Jim truly brightened and enriched the lives of all those around him. His devotion to the Teamsters and the members he worked so hard to represent was matched only by his love and devotion to his family and faith. My thoughts and prayers are with his wife, Barb, children, Jim Jr. and Debbie, and five grandchildren.

Mr. Speaker and Colleagues, please join me in honor and recognition of the life of James Anthony Zack. His dedication on behalf of working people has served to uplift our entire community.

IN RECOGNITION OF BASIC HIGH SCHOOL'S MARINE CORPS JROTC PROGRAM AND PARTICIPANTS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the contributions of a special group of high school students in Henderson, NV, the members of Basic High School's Marine Corps JROTC

Basic's JROTC unit was activated in 1977 and is one of over 200 plus units sponsored by the United States Marine Corps. Basic's MCJROTC has been designated as a "Naval Honor School" 14 times and has received State and national recognition and honors. The senior marine instructor and marine instructors are retired marines with over 80 years of combined military service and 30 years at Basic High School.

The mission of the MCJROTC is to develop young leaders and responsible citizens with respect for constituted authority, to help individuals strengthen character and form habits of self-discipline, and to learn the importance of national security in a democratic society. Students that participate in the MCJROTC program at Basic learn self-discipline, self-confidence, personal responsibility and build their character.

Basic's MCJROTC students participated in the Western United States National Drill Meet on April 1, 2006 and were deemed the overall winner for the West Coast. Other awards earned included: first place in Armed Inspection, second place in Unarmed Inspection, first place in 4 Person Unarmed, fifth place for 4 Person Unarmed, third place in Unarmed Inspection, second place for Color Guard Regulation, first place for 4 Person Armed, first place in Unarmed Exhibition, second place in Color Guard Regulation, fourth place for 4 Person Armed, second place for Armed Inspection, third place for Unarmed Exhibition, fourth place for Color Guard Inspection, Outstanding Unarmed Commander Cadet.

Basic's MCJROTC students have won this prestigious championship twice in the last 4 years. Their commitment to this important program and devotion to excellence has helped them achieve these high honors, and I am proud to recognize them today for their accomplishments.

Mr. Speaker, it is with great pride that I salute the MCJROTC students at Basic High School.

GENERAL AVIATION SECURITY

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. ROTHMAN. Mr. Speaker, the American people should be outraged to learn that all it takes to get on an on-demand charter flight at a general aviation airport is a credit card. You don't have to go through an x ray machine. No one is going to look into your carry-on bags. You and your friends can literally bring anything you want to on one of these flights and no one is going to stop you. According to the charter aviation industry this is actually a good thing and it represents advancement in security from the days where cash could get you a seat on one of these planes. And Mr. Speaker, I'm not talking here about small prop planes used by recreational pilots. Jets in the charter industry are larger, faster, and heavier than they used to be, therefore making them more like their commercial counterparts than ever before.

One of the ten busiest general aviation airports in the country is in my district. Teterboro Airport is only 12 miles from New York City and handles a volume of over 200,000 flights every year, nearly equal to the number of flights at JFK International Airport. So far this year there have been three incidents at the airport, including one where a car crashed through the airport's chain link fence on January 12th. An 18-year-old driver lost control of her Jeep and ran through the cyclone fence that separates a major roadway from parked planes. After going through the fence, the car actually crashed into a fully fueled plane parked on the tarmac causing damage to both the car and the plane. For those who have never driven by Teterboro, I'm sure it seems outrageous that a car could crash through the airport's fence and hit a plane. But it's true. This incident raises a question that all of us should be asking ourselves: If an 18-year-old can accidentally breach the security fence and drive straight onto the tarmac, into a fully fueled aircraft, at one of the busiest general aviation airports in the country, what could a motivated psychopath or terrorist do? Mr. Speaker, this incident speaks to the need for much greater security at general aviation airports.

We know that our Nation remains an inviting target for terrorists and we would be foolish not to assume they are looking for vulnerabilities. If a terrorist had a chemical or biological weapon and needed an airborne delivery mechanism, it would be shamefully easy to commander an aircraft at an airport like Teterboro, fly that plane over New York City, less than 5 minutes flight time away, and deploy that weapon.

The threat posed by lax security at general aviation airports does not begin and end with a car crashing through a fence. There are other very worrisome concerns, starting with the security and screening procedures for passengers boarding air taxi flights. Security procedures are actually nonexistent. Let me repeat, there are no security requirements for these passengers. That's right; no Federal agency requires any screening. In fact, passengers are not even required to show a license or have their baggage checked. All you need to do to hop on board an air taxi service flight is a credit card to buy your ticket. There's absolutely nothing else you need to do.

So you might be wondering, if the Federal Aviation Administration and the Transportation Security Administration are not regulating security at general aviation airports, then who is? The industry is of course. To help them out, TSA worked with the charter industry to publish "Security Guidelines for General Aviation Airports" in May of 2004. But none of these guidelines are mandatory. They offer suggestions and guidance, but the TSA does not require any local airport operators, owners, or users to put the guidelines to use. If we're not mandating security procedures, then what's the point of even having guidelines? Since there are no mandatory requirements, the threat to our Nation's security remains.

The excuse for the inadequate security has been that it is impossible to provide a one-size-fits-all security plan for the Nation's 19,000 general aviation airports. If that's true, then why isn't the TSA looking at airports in high risk locations? That seems like a reasonable place to start, but the TSA has not even done that.

However, there has been one notable exception where the TSA stepped in and mandated tighter security for general aviation aircraft. Just a few miles away from the Capitol at Ronald Reagan National Airport, the TSA requires all general aviation flights leaving and coming into Reagan National to undergo special security procedures and all passengers must be screened by TSA. Now, I understand the threats that exist for flights around our Nation's Capitol. However, the same risks exist for my constituents in Northern New Jersey and for the people of Manhattan and New York who are at the same risk from flights taking off and landing at Teterboro Airport. Yet, the only thing the TSA has done to improve security at Teterboro is to require that flights to Reagan National follow the required safety precautions. This is just not enough.

There clearly is nothing preventing a terrorist from taking out a credit card, buying a ticket on an air charter flight, showing up for the flight with a gun, a bomb, or even a weapon of mass destruction and stepping onto a jet. With no air marshal on board and a full tank of fuel, any general aviation jet could become the next weapon of mass destruction. If the TSA wanted to do something about this threat they would, but they haven't. They are putting all their efforts into preventing the kind of attacks we saw on 9–11 and putting their trust in the charter industry to protect our Nation from a new style of air-based attack. In fact, the charter industry, which has seen dramatic growth since 9–11, markets itself based on its lax security procedures. They spend millions of dollars in advertising to the rich and powerful that the way to avoid the security hassles and inconvenience of commercial airports is to book a seat on a charter flight. They actually promote their own lack of security.

Protecting our homeland is the responsibility of government. It's time for this Congress and the administration to open their eyes and address this urgent homeland security concern. This industry is expected to grow by as much as 25 percent in the next few years. We must do something now. I urge the Homeland Security and Transportation and Infrastructure Committees to address this issue and enact

legislation that will keep America safe from the threat posed by the lack of security at general aviation airports.

HONORING THE SELECTION OF CASEY'S PLACE AS THE NATIONAL HOUSING ENDOWMENT'S CHOICE AS ''PROJECT OF THE YEAR''

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. WALSH. Mr. Speaker, I rise today to congratulate and honor The Home Builders Association of Central New York on having their project, Casey's Place, chosen as ''Project of the Year'' by the National Housing Endowment. The Home Builders Association of Central New York is the first association in the Northeast to receive this prestigious award.

Casey's Place, a pediatric respite house for children with disabilities, is truly a remarkable project. It is the only facility of its kind in the U.S. that offers the needed services for the medically fragile and the developmentally challenged and their families, all free of charge.

Casey's Place came about through the hard work and dedication of the 350 member Home Builders Association of Central New York. Members donated materials, labor, and made financial contributions in order to create this dream home where families can escape the hardships of dealing with these types of tough medical conditions. The 10,000 square foot space is equipped with a media room, recreation room, accessible kitchen, themed restrooms, fully accessible shower and bathing facilities with reclining air jet tubs and state-of-the-art overhead lifting systems.

To date, Casey's Place has provided overnight, school break and summer day programs to over 150 children and their families from Central New York. Casey's Place lets these kids experience many of the activities we all take for granted. Without the altruistic spirit of the Home Builders Association of Central New York, none of this would be possible. They deserve special recognition. I wish them the best of luck with the Casey's Place and hope they are able to touch many more families across the region.

RECOGNIZING THE PUBLIC SERVICE OF SENATOR LOURDES LEON GUERRERO

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the contributions of a dedicated public servant and a true daughter of Guam, Senator Lou Leon Guerrero. The daughter of the late Jesus Sablan and Eugenia Aflague Leon Guerrero, Lou was born and raised on Guam along with her brothers Jesse and Tony Leon Guerrero. She graduated from the Academy of Our Lady of Guam High School and earned her Bachelor's Degree in Nursing from the California State University at Los Angeles in 1973. Lou began her career as a healthcare professional, working as a staff nurse at the Santa Monica Hospital. She was also attending graduate courses at UCLA, at this time. She earned her Master of Arts degree in Public Health in 1979.

Lou returned home to work at the Guam Memorial Hospital in 1980. She quickly rose through the ranks of Guam Memorial Hospital, serving as the hospital's Assistant Director of Nursing 1982 to 1983. Lou then worked for next 10 years at the Family Health Plan (FHP), a private health clinic on Guam. Lou became the FHP's Director of Operations in 1990. She served in that capacity until she entered politics in 1994.

Lou is a four-term senator in the Guam Legislature. She has served in a number of leadership roles during her 8 years in the Legislature. Lou became the Chairwoman of the Committee on Rules and Health in 2003. She was also a candidate for Lieutenant Governor during the 1998 election cycle.

Lou's career as a nurse laid the foundation for her commitment to serving Guam and the public. Lou's caring nature, her humanity, and her commitment to improving not only the quality of the healthcare available on this island, but the island as a whole was clear to see to those who worked closely with her over the years. It is my hope that her legacy of professionalism, service to the island, and community leadership will serve as a lasting inspiration for her family, friends, and associates as she leaves the Legislature for a new chapter in her professional life.

Lou forges an exciting a new path for herself and her family as she transitions to the position of President, Chief Executive Officer, and Chairwoman of the Board of Directors of the Bank of Guam. Her brother Tony also served in this capacity. Her father Jesus founded the bank. Her service at the Bank of Guam is continuing the family tradition.

I have had the honor and privilege to work very closely with Lou over the years. She is both a colleague and a friend. I admire her tenacity, her love for the island of Guam and its people, and her commitment to do what she believes is best for them. Her determination to improve the lives of residents of Guam, her commitment to forming good public policy, and her persistence in seeing the needed carried out is commendable. Her presence in the Legislature will be greatly missed.

On behalf of a grateful island, I join her husband, Attorney Jeff Cook, her children Joaquin and Mariana, and all the people of Guam, in extending Senator Lou Leon Guerrero my most heartfelt appreciation for all the good work she has done for Guam. Additionally, I wish her success and prosperity in her new leadership roles at the Bank of Guam.

MEDAL OF HONOR WINNER REMEMBERED

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BUTTERFIELD. Mr Speaker, I rise today to remember a great American warrior and patriot. Chief Warrant Officer Michael J. Novosel was a veteran of three wars, a Medal of Honor recipient, and a major figure in Army aviation history. He passed away on April 2 at Walter Reed Army Medical Center after a long battle with cancer. CWO Novosel spent his last days as he spent most days at Walter Reed, talking with soldiers that were recovering from injuries sustained in Iraq and Afghanistan.

Novosel received the Medal of Honor for his ''gallantry and intrepidity in action at the risk of his life above and beyond the call of duty.'' His citation reads:

> He unhesitatingly maneuvered his helicopter into a heavily fortified and defended enemy training area where a group of wounded [South] Vietnamese soldiers were pinned down by a large enemy force. Flying without gunship or other cover and exposed to intense machine gun fire, CWO Novosel was able to locate and rescue a wounded soldier. Since all communications with the beleaguered troops had been lost, he repeatedly circled the battle area, flying at low level under continuous heavy fire, to attract the attention of the scattered friendly troops. This display of courage visibly raised their morale, as they recognized this as a signal to assemble for evacuation.
>
> On 6 occasions he and his crew were forced out of the battle area by the intense enemy fire, only to circle and return from another direction to land and extract additional troops. Near the end of the mission, a wounded soldier was spotted close to an enemy bunker. Fully realizing that he would attract a hail of enemy fire, CWO Novosel nevertheless attempted the extraction by hovering the helicopter backward. As the man was pulled on aboard, enemy automatic weapons opened fire at close range, damaged the aircraft and wounded CWO Novosel. He momentarily lost control of the aircraft, but quickly recovered and departed under the withering enemy fire.
>
> In all, 15 extremely hazardous extractions were performed in order to remove wounded personnel. As a direct result of his selfless conduct, the lives of 29 soldiers were saved. The extraordinary heroism displayed by CWO Novosel was an inspiration to his comrades in arms and reflect great credit on him, his unit, and the U.S. Army.

As a dustoff pilot, CWO Novosel flew 2,543 missions and rescued 5,589 wounded or stranded soldiers, according to Army records. He was an excellent soldier and an extraordinary American. May God bless him and his family.

PAYING TRIBUTE TO DR. CAROL C. HARTER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Dr. Carol C. Harter, who is retiring after serving as the president University of Nevada, Las Vegas for the past 11 years.

Dr. Harter has dedicated herself to enriching the academic experience of the students at UNLV and expanding programs and enrollment at the university. Since Dr. Harter's appointment in 1995, UNLV has created more than 100 new degree programs. During her tenure at UNLV, more than 17 new buildings have been added, including the Lied Library. In addition, under her leadership, UNLV created the William S. Boyd School of Law, the School of Architecture, and the School of Dental Medicine—the first professional schools in

Nevada in these areas as well as professional programs in Physical Therapy and Public Health.

As president of UNLV, Dr. Harter has received numerous national awards including the Presidential Leadership Award by the National Collegiate Honors Council, the President's Award by the National Association of Student Affairs Professionals, and the College President's Award by the All American Football Foundation.

Mr. Speaker, I am proud to honor Dr. Carol C. Harter and her distinguished career in service to higher education. I wish her the best in her retirement.

IN HONOR OF CLEVELAND READS VOLUNTEER OF THE YEAR JOHN ''JACK'' DOXSEY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Mr. John "Jack" Doxsey and every volunteer who participated this past year in Cleveland Reads, bringing hope and possibility through the gift of literacy to countless children and adults—thereby changing their lives forever. I also rise in recognition of Cleveland Reads Volunteer of the Year Nominees: Jessica Anthony, Andy Evridge, Dorothy Fike, Anita Morgan and Stephen Novak.

Established in 1987, Cleveland Reads, a non-profit organization, has consistently worked to draw individuals, businesses and agencies into their volunteer literacy projects and campaign. Mr. Doxsey, 84 years young, consistently reflects a caring and positive demeanor that gently inspires his students, raising their confidence with every turn of the page.

Twice weekly for the past 6 years, Mr. Doxsey, a tutor with ABLE in Cleveland Heights, volunteers his mornings as a tutor, instructing teachers and college students in English as a Second Language class. Mr. Doxsey has worked with students who hail from countries around the world, spanning five continents. Following the profound loss of his beloved wife, Mr. Doxsey had several options, including moving closer to his adult children, who live outside Ohio. Instead, he chose to move closer to Case Western University, where he has given the gift of language to numerous students struggling to assimilate to their new experience in America.

Mr. Speaker and Colleagues, please join me in honoring every Volunteer of the Year nominee, and especially Mr. John "Jack" Doxsey, upon being named Cleveland Reads Volunteer of the Year. Mr. Doxsey's patience, kindness and concern for the young people of the world who journey to Cleveland seeking education, serves to build foundation of understanding that transcends language, borders and culture, connecting us all with the gifts of giving, empowering, and humanity.

PAYING TRIBUTE TO PATTY MURPHY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Patty Murphy, a volunteer from southern Nevada, who because of her time and efforts helping others, has earned the distinguished President's Volunteer Service Award.

Patty is a volunteer nurse with the Medical Reserve Corps of Clark County. In September 2005 after the destructive forces of Hurricane Katrina tore through the Gulf Coast, she was deployed to Mobile, Alabama. There she worked on the M.S. Holiday, a cruise ship that temporarily housed evacuees following the Katrina aftermath. For 2 weeks Patty worked with a team of heath care professionals to provide medical care for the evacuees.

The Medical Reserve Corps of Clark County is a committed and available reserve of practicing and retired health care professionals that can be rapidly mobilized to strengthen medical response capabilities during large-scale local emergencies. Although this organization was created by the local community for the local community, the leadership and experience provided by this group has proved to be a viable asset for a disaster on the opposite side of the country.

In 2002, President George W. Bush called on all Americans to make a difference in their communities through volunteer service. He created USA Freedom Corps, an Office of the White House, to strengthen and expand volunteer service. The President's Volunteer Service Award is presented to outstanding individuals who have displayed an outstanding example of service and who have accumulated over 100 hours of service.

Mr. Speaker, I am honored to recognize Patty Murphy on the floor of the House today. Her example of service testifies to all of us that we can all do a little more to help our neighbor. I applaud her for her efforts.

IN RECOGNITION OF TEXAS WOMEN'S UNIVERSITY'S GYMNASTICS TEAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BURGESS. Mr. Speaker, I rise today to honor the teamwork and spirit of the Texas Women's University's gymnastics program. These individuals have established themselves as true champions emphasized no less by their devotion and passion to the sport. Texas Women's University seized the opportunity to claim the 2006 USA Gymnastics Collegiate National Championship. This victory marks the Pioneers' eighth national title and the first since 2003.

The Texas Women's gymnasts have exhibited their commitment to each other and their common goals this past year by diligently competing and overcoming any adversity in their way. Throughout the season these outstanding individuals have shown the success that comes from working as a team to achieve a great goal.

Under the leadership of head coach Frank Kudlac, assistant coaches Jackie Fain and Tim Rivera, graduate assistant Lisa Klein, and manager Catherine Schnoes, the team has continued its championship status.

TWU's gymnasts Courtney Arno, Amie Boles, Brenda Campbell, Brisa Fuentes, Amy Hulbert, Jennifer Kingsbury, Amber McMeans, Brista Michael, Kelsey Nixon, Brittany Parker, Tonya Pipkorn, Nicole Poling, Bethany Rehm, Emily Seidelman, and Nakia Westbrook have made their university community shine as well as themselves.

It is with great honor that I stand here today to recognize this group of individuals who have made their community so proud. The gymnastic program of Texas Women's University has demonstrated the essence of the American spirit of sportsmanship.

RECOGNIZING THE MASON DISTRICT LITTLE LEAGUE UPON ITS 50TH ANNIVERSARY

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. TOM DAVIS of Virginia. Mr. Speaker, I would like to take this opportunity to pay tribute to the Mason District Little League as it celebrates its 50th anniversary.

In 1956, the Bailey's Crossroads community saw a growing demand for baseball, which at the time was the only organized sport available for young children. This spurred organization of the Bailey's Crossroads Little League. The league was organized and maintained by volunteers, mainly fathers of the players, as it still is today.

The league built their first fields in the Skyline area. After 12 years in the Skyline area, the league moved to JEB Stuart Park, and in 1978 the league underwent its largest reorganization when it joined with the Annandale American Little League, and was finally renamed to what it is today, Mason District Little League.

For 50 years, the Mason District Little League has been a strong part of the community, teaching kids the game of baseball. Hopefully in 50 more years the league will still be carrying on its great tradition of instilling in its players the values of sportsmanship, fair play, physical fitness, teamwork and an appreciation for the American pastime.

Mr. Speaker, in closing, I would like to thank the thousands of parents, grandparents, children, and volunteers who have participated in and contributed to the success of the Mason District Little League. By teaching their community's children the game of baseball, the many Mason District Little League volunteers have contributed to the development of honest, productive, and decent citizens. I congratulate the League on its successes over the last 50 years and I wish it more successful years in the future. I ask that my colleagues join me in applauding this outstanding institution.

REGARDING THE 25TH ANNIVERSARY OF JOE LOUIS' PASSING

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CONYERS. Mr. Speaker, I rise today to acknowledge the 25th anniversary of the great Joe Louis' passing; which will be commemorated on April 12th of this year in a wreath laying ceremony at Arlington National Cemetery.

Even though I was very young, I will never forget sitting with my father listening to the radio broadcast of Louis' 1938 fight in which he knocked out Nazi Germany's Max Schmeling in the first round. His victory was important to me for many reasons, but the fact that Louis was from Detroit made his victory extra special.

The following is a copy of the press release issued by Arlington National Cemetery of the event.

What: Joe Louis Wreath-Laying Ceremony

When: Wednesday, April 12, 2006, 10:30 a.m.

Where: Arlington National Cemetery, Arlington, VA, Section 7A, (Below the Tomb of the Unknown Soldier).

Joe Louis, former heavyweight champion of the world, will be remembered by his son, Joe Louis Barrow, Jr., along with several dignitaries and family members, during a wreath-laying ceremony on the 25th anniversary of his passing. The ceremony will be held at Arlington National Cemetery where Louis is buried just below the Tomb of the Unknown Soldier.

Louis, considered by many as the greatest boxer of all times, died on April 12, 1981 in Las Vegas, NV. Born in Chambers County, Alabama, Louis grew up in Detroit, Michigan. He became the World Heavyweight Championship in 1937 and held the title until 1949, a record 11 years 8 months. Louis defended his title a record 25 times and defeated his opponents 5 times in first round knockouts, also a record.

His most memorable bouts were with German Max Schmeling. Louis took a devastating defeat early in his career, losing to Schmeling in a 12th round knockout in their first encounter in 1936. After winning the title by defeating James J. Braddock on June 22, 1937, Louis and Schmeling met again on June 22, 1938 before 78,000 fans in New York Yankee Stadium. Louis, wanting to erase the cloud on his championship from his earlier defeat, delivered a stunning knockout of Schmeling in two minutes and four seconds of the first round. With that victory, Louis transcended from Heavyweight Champion to American Hero. In 1981 President Ronald Reagan granted the request to have Louis buried in Arlington National Cemetery. Louis served in the U.S. Army during World War II and achieved the rank of staff sergeant.

April 12, 2006 will be a day when America and the world will pause to acknowledge the impact of an African American born to sharecroppers in Alabama, growing up in the inner city of Detroit who rose to the pinnacle of his career. In doing so Louis provided hope to an entire generation of Black Americans and simultaneously challenged a segregated United States to question limiting the rights of its citizens based on the color of their skin.

TRIBUTE TO THE MARION STATE BANK

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CUELLAR. Mr. Speaker, I rise today to honor the 100th anniversary of Marion State Bank in Marion, TX.

The Marion State Bank was granted a State charter on October 26, 1906, 30 years after the establishment of Marion as a town. The Marion State Bank has operated for almost a century without changing ownership and has not merged with any other banking institutions, ranking it seventh in the State of Texas in terms of longevity, and one of the original 130 chartered banks in the State of Texas.

In addition, the Marion State Bank will celebrate its 100th anniversary with total assets of close to $43 million. It has served as a major partner in the economic growth of the greater Marion community for a century which includes the communities of New Berlin, Marion, Zuehl, and Santa Clara. The bank has assisted farmers and ranchers to produce crops, buy cattle and land as the major economy of the 80-square-mile area that they have served for the past century.

The Marion State Bank stands as an exemplary banking institution that has provided the community with stability and commitment to the future of the citizens of the greater Marion community. The bank has weathered many outside influences and economic changes, but it stands today as a symbol of a home-owned bank that brings a sense of community in an ever-changing and fast-paced world.

Mr. Speaker, I am honored to have had this time to honor the 100th anniversary of Marion State Bank in the State of Texas.

PAYING TRIBUTE TO FRANK SCOTT

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the life of Frank Scott, whose story of personal and professional success should serve as an inspiration for us all.

Mr. Scott built his business empire after returning to Las Vegas from World War II where he had served as a second lieutenant in the Army in Japan. In the 1950s and 60s, Scott opened a wholesale building material company, operated a fixed base aircraft operation and founded Stocks Ready-Mix Concrete. In the 1970s, as chairman of the First Western Savings Association, Scott was credited with saving the bank from near financial ruin. And in 1983 Mr. Scott was named co-Convention Man of the Year by the Hotel Sales Management Association's Las Vegas Chapter. Scott was also the founder of the Plaza Hotel and Casino.

Frank Scott was a bank chairman, director of Nevada Power and president of the Greater Las Vegas Chamber of Commerce and the Nevada Resort Association. Additionally, Scott was a board member of the local Boy Scouts chapter, a UNLV trustee, a captain of the Sheriffs Mounted Police and a board member of the Nevada Museum of Fine Arts.

Mr. Speaker, I am grateful to honor Frank Scott and his extraordinary career and I appreciate his efforts on behalf of the community. His death is a profound loss for the community and he will be greatly missed.

IN HONOR OF THE 100TH ANNIVERSARY OF ST. ANDREW CATHOLIC CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the parish community of St. Andrew Catholic Church, as members and leaders celebrate 100 years of faith and hope throughout Cleveland's southwest side.

Throughout the past century, St. Andrew parish has served as a spiritual refuge, opening its doors to individuals and families in search of guidance, spirituality and peace.

The ministry of St. Andrew began in 1906, serving immigrant families who settled in Cleveland. Since that time, a number of pastors and parishioners have served as critical guides in the journey of the faithful at St. Andrew Church. Over the years, the parish community has evolved and grown, and has also survived numerous struggles and hardships.

Mr. Speaker and colleagues, please join me in honor and recognition of every past and current member and spiritual leader of St. Andrew Catholic Church. Despite hardship and adversity, St. Andrew Catholic Church continues to provide a haven of faith, guidance, renewal and support for hundreds of families and individuals, in the heart Cleveland and far beyond.

IN RECOGNITION OF THE LAS VEGAS WINGS CHAPTER OF THE DISTINGUISHED FLYING CROSS SOCIETY

HON. JON. C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the contributions of a special group of American heroes, those that have received the Distinguished Flying Cross. I honor them today for their service and dedication to our great Nation.

The Distinguished Flying Cross was authorized by an act of Congress on July 2, 1926 and is awarded to any officer or enlisted member of the Armed Forces who has distinguished themselves during combat in support of operations by ''heroism or extraordinary achievement while participating in an aerial flight.''

Since its creation the Distinguished Flying Cross has been awarded to some of America's greatest aviators and serves as a reminder of their heroic actions. This prestigious medal was first awarded to Charles A. Lindbergh, of the U.S. Army Corps Reserve, for his solo flight of 3,600 miles across the Atlantic in 1927. The first Distinguished Flying

Cross to be awarded to a naval aviator was awarded to Richard E. Byrd, of the U.S. Navy Air Corps, for his flight to the North Pole. The contributions of these great aviators and those that followed are honored by this prestigious award.

In 1994 the Distinguished Flying Cross Society was formed as a nonprofit organization whose members have been awarded the Distinguished Flying Cross. The society has established scholarships and benefits for organizations and individuals throughout the Nation that are seeking to make advances in aviation.

In February of this year the Distinguished Flying Cross Society officially recognized a new chapter, the Las Vegas Wings Chapter in Southern Nevada. The great State of Nevada is home to more than 260,000 veterans many of which have been awarded the Distinguished Flying Cross. As a Member of Congress and a Nevadan, I would like to extend a heartfelt welcome, to the Las Vegas Wings Chapter, of the Distinguished Flying Cross Society.

Mr. Speaker, it is with great pride and heartfelt gratitude that I salute these great American heroes and the Las Vegas Wings Chapter of the Distinguished Flying Cross Society.

HONORING MR. BILL BUEVENS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BURGESS. Mr. Speaker, I rise today to recognize Mr. Bill Buevens for his commitment to safety as an air traffic controller at the Dallas/Fort Worth Terminal Radar Approach Control.

On a warm, cloudy night with poor visibility, Mr. Buevens noticed American Airlines Flight 599 approaching the Dallas/Fort Worth Airport lined up incorrectly on the runway by fault of the instrument landing systems.

After noticing that a problem might potentially arise, Buevens remained on constant watch of Flight 599 which seemed weary on his instinct. Drawing on his 18 years of experience and hunch, Buevens' fear proved true when the plane lined up to the wrong runway where another flight was taxiing for take off.

Buevens immediately alerted the tower controller who then contacted the pilot and realigned the flight to the correct runway. This save is credited as remarkable because of the radar display.

Mr. Buevens was honored with the NATCA's Archies League Medal of Safety, which is named for the first U.S. air traffic controller. He is one of 11 controllers honored this year for saves.

I am honored to today to recognize the exceptional service of Mr. Bill Buevens. His knowledge and dedication to safety saved not only the air line from a great travesty, but also kept the estimated 300 passengers out of harm's way.

TRIBUTE TO THE BERGEN RECORD

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. ROTHMAN. Mr. Speaker, I would like to extend my congratulations to all those at the Bergen Record newspaper who worked on the excellent award-winning 'Toxic Legacy' series of articles, which documented Ford Motor Company's dumping of toxic waste in northern Bergen and Passaic Counties in New Jersey.

The latest award from the Society of Professional Journalists is a testament to the dedicated reporting of Jan Barry, Barbara Williams, Tom Troncone, Mary Jo Layton, Alex Nussbaum and Lindy Washburn, photographer Thomas E. Franklin, Editor Debra Lynn Vial, and project leader Tim Nostrand.

Investigative journalism of the caliber shown in this series is critical to an informed electorate and democracy. I am proud that so many prestigious journalism awards have gone to a daily newspaper written, printed, and distributed in my own District. Residents of Bergen and Passaic Counties are privileged to have access to a vibrant and competitive free press in New Jersey.

HONORING THE 200TH ANNIVERSARY OF THE ONONDAGA COUNTY MEDICAL SOCIETY

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. WALSH. Mr. Speaker, I rise today to recognize the 200th Anniversary of The Onondaga County Medical Society. The Onondaga County Medical Society was first founded back on July 1, 1806. Back then, 11 physicians met on top of Onondaga Hill at the first Onondaga County Courthouse to establish this great society.

Since its founding, the society has helped Central New York deal with some of the more menacing health threats of the time. In the 1830s, physician members of the society dealt with Asiatic cholera. In the 1900s, the society addressed the local impact of the worldwide flu; which resulted in over 750 deaths within the Syracuse area. During the 1950s the society assisted the local community in dealing with the polio epidemic. Currently, the society and its more than 1,260 members are working with the New York State Department of Health in preparation for the possibility of a bird flu outbreak.

The Onondaga County Medical Society also played a leading role in the establishment of the College of Medicine at Syracuse in 1872. In 1950, this college went on to become the Upstate Medical University, which has become a tremendous resource and aide for the entire Central New York region.

Throughout its history, The Onondaga County Medical Society has played an important role in the healthcare of the people of Central New York. Members have done their best to live up to the Society's motto, ''to promote and preserve quality health care by working for patients, physicians and the community.''

On behalf of the people of Central New York, I applaud the 200 years of hard work members of The Onondaga County Medical Society have provided. I wish the Society the best of luck and expect nothing but the best service in the many years to come.

IN RECOGNITION OF U.S. SMALL BUSINESS ADMINISTRATION, DWIGHT D. EISENHOWER AWARD PRESENTED TO BLACK CONSTRUCTION CORPORATION

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. BORDALLO. Mr. Speaker, I rise today to congratulate Black Construction Corporation of Guam on the occasion of it being awarded the Dwight D. Eisenhower Award for Excellence in the construction category by the U.S. Small Business Administration (SBA). Named for the president under whom the SBA was founded, the Dwight D. Eisenhower Award for Excellence honors large federal contractors nationwide with the most outstanding small business subcontracting programs.

Each year, the SBA awards those businesses and federal agencies that have excelled in various aspects of federal procurement. To be eligible for consideration for the Dwight D. Eisenhower Award for Excellence a company must first be the recipient of the SBA Award of Distinction. The SBA has twice honored Black Construction Corporation for its record of support for small business on Guam and throughout Micronesia, following a nationwide review of construction companies that are awarded federal contracts. It is my hope that companies that are prime contractors for federal construction projects heed the example set by Black Construction Corporation and will continue to subcontract with local small businesses.

The vast majority of American companies are small businesses. They are the largest creator of private sector jobs. American small businesses have also established a strong record of innovation and are routinely implementing cutting edge technologies. Furthermore, the success of local economies is dependant upon the strength of small businesses. As local small businesses grow stronger, so do the communities in which they serve. Black Construction Corporation fulfills an essential role in that process on Guam and throughout Micronesia by utilizing small businesses to complete federal construction projects.

HONORING THE SERVICE AND SACRIFICE OF MR. DAVID FOY FOR THE PEOPLE OF THE UNITED STATES

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BUTTERFIELD. Mr. Speaker, today I rise to honor a constituent, a public servant, an American patriot who laid down his life in support of the ideals of our great nation.

On March 2, 2006, David Foy, a Department of State Facilities Manager for our Consulate in Karachi, Pakistan was killed, along with three other individuals, by a suicide bomber. We will never forget David's service, nor its premature end.

David Foy served his country by dedicating 23 years of his life to the United States Navy retiring as a Senior Chief. But David

wanted to keep serving his country. After several years as a civilian employee at Fort Bragg, he moved over to the Department of State's Bureau of Overseas Buildings Operations where he became a Facilities Manager. For the last three years he has served in areas at the heart of our War on Terror, Kyrgyzstan and Pakistan.

David's eulogy says everything you need to know about him as a man and him as a servant. He is a hero and a warrior. He was a devoted family man who deeply loved and adored his wife and their four daughters.

Secretary of State Condoleezza Rice on May 5th will honor this loyal patriot by presenting to his wife, Donna, and his daughters the Department of State's Thomas Jefferson Star Award for sacrifice in the performance of his duties.

Mr. Speaker, David Foy is a hero both to his country and to his wonderful family. We salute his dedication to this country that he served so long and so well. David and other civil servants like him are the reason why we rise every morning in the warmth of a blanket of freedom. May he not be forgotten and may his mission continue in the work of this body and the hearts of all Americans.

PAYING TRIBUTE TO LOU EMMERT

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Lou Emmert for her professional success and outstanding contributions to the community.

Lou Emmert is the vice president and general manager for Sprint of Nevada, the primary local telephone provider for Clark County. In this role, she directs the efforts of local and state governmental relations, regulatory relations, public relations and community involvement activities, and is the main point of contact for key business leaders.

Lou is also involved in many community organizations, including the Girl Scouts of Frontier Council, the Las Vegas Chamber Board of Trustees, the YMCA Board, the Nevada Development Authority Board, the Las Vegas Philharmonic Board of Directors, the Nevada International Women's Forum, the Clark County Public Education Foundation, the Clark County Department of Social Service Citizens Advisory Committee, the Henderson Chamber of Commerce Board of Directors and Desert Research Institute Foundation Board.

Mr. Speaker, I am grateful to honor Lou Emmert for her extraordinary record of professional and community service. I wish her the best in her future endeavors.

IN HONOR OF THE CLEVELAND FEDERAL EXECUTIVE BOARD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the Cleveland Federal Executive Board, for their individual and collective dedication as public servants, all focused on the public good.

The community of federal employees in Cleveland, Ohio, is comprised of nearly 20,000 individuals who contribute their talent, trade and expertise daily within an array of roles, including park rangers, administrators, accountants, clerical employees, attorneys, engineers, military members, mail carriers, scientists, nurses and physicians.

The professional contribution extended daily by federal employees serves as a foundation of support, safety and security throughout our community. Every day, the mail is delivered; veterans receive medical care; the environment is monitored; our national park is preserved; immigrants are guided to citizenship; job services are provided; and astronomers study the mysteries of the universe.

Mr. Speaker and Colleagues, please join me in honor and gratitude of the members of the Cleveland Federal Executive Board and the thousands of federal employers who live and work within our Cleveland community. Their individual and collective commitment to their work continues to preserve, protect and strengthen our entire community.

BOOKSELLER OF THE YEAR—HONORING A VERMONT INSTITUTION

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. SANDERS. Mr. Speaker, I want to commend Northshire Books, honored as this year's Bookseller of The Year. The selection and award was made by Publisher's Weekly.

Northshire Books is located in the small town of Manchester, Vermont. Owned by Ed and Barbara Morrow, it is a wonderful example of a locally-owned bookstore. It boasts a handsome environment for browsing books and a huge selection of titles. The selection it carries is not chosen by corporate giants seeking maximum sales, or by a central office following national trends. Quite the contrary, Northshire's wonderful inventory of books is the result of the informed knowledge of its staff: people who read and value books.

Northshire Books regularly presents readings by authors, allowing it to serve as a rich cultural resource for all of southwestern Vermont. It introduces young people to reading, through its fine children's section, and "Story times" for young readers.

Vermont authors value this wonderful store. "Northshire is everything one could want in a bookstore," said Vermont novelist Chris Bohjalian. "It's a huge gift to the state." And best-selling novelist John Irving agreed: "What's remarkable about the quality and range of the Northshire Bookstore is that Manchester isn't a college town, or even a very big town, yet the store is both broad and deep—it is literary, friendly to children, and welcoming to tourists. I love the place." Novelist Howard Frank Mosher said, "Every time I walk through there, the first thing I see is a dozen or so of my favorite contemporary novels and non-fiction books. He continued, "Then, the booksellers that the Morrows have hired over the years are, I think, the most knowledgeable booksellers I've ever met. They've actually read the books they sell and know an enormous amount about them."

Northshire has not been purely commercial. In 2003 its owners sponsored "Cry Out: Poets Protest the War," a collection of the anti-war poems were read by eleven renowned poets, including Galway Kinnell, Grace Paley and Jamaica Kincaid, to an overflow crowd of 500 in Manchester's First Congregational Church. That event was announced after the White House canceled a poetry reading out of a fear that poems critical of the war in Iraq might be read. The poems read were subsequently published by Braziller. And when the Patriot Act eliminated reader privacy—making it easy for investigators to check bookstore purchases without judicial oversight—Northshire actively opposed the law with American Booksellers Foundation for Free Expression. As a result, a petition with 185,000 signatures was sent to Congress, asking that it restore protections for reader privacy which were eliminated by Section 215 of the act.

Small, local business is the heart of the American economy. Local bookstores are, and have been ever since the times of Benjamin Franklin (a bookshop owner), a center of American learning. Congratulations to Northshire bookstore, to owners Ed and Barbara Morrow, to its manager Chris Morrow, to its staff, and to its dedicated and supportive patrons.

IN HONOR OF PACE UNIVERSITY'S CENTENNIAL CELEBRATION

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. NADLER. Mr. Speaker, I rise today to honor one of the most respected private institutions of higher learning in my district, Pace University, as it celebrates a major milestone, the 100th anniversary of its founding in 1906. This great school has grown from humble beginnings as a School of Accountancy to become a vibrant and dynamic Liberal Arts University offering more than 100 majors.

Over the last century, the school has lived up to its motto, Opportunitas, by offering its students the opportunity to discover and fulfill their potential, and affording its distinguished faculty and outstanding staff the opportunity to achieve excellence. As part of its 15-month centennial celebration, Pace University will be hosting lectures, symposia, service activities, and other special events that reflect on its long history of opportunity and innovation.

With its six schools and colleges and two main campuses, Pace is consistently ranked among the top quarter of 4-year colleges and universities in the country. Pace's School of Law is nationally recognized for the excellence of its Environmental Law Program and its Lienhard School of Nursing has been an acknowledged leader in nursing education, research, and practice for more than 35 years.

Ultimately, Pace University's greatest strength has been its people—its faculty, staff, students, and alumni—and its most profound achievement can be seen in the countless lives that have been transformed by the Pace experience. I offer my sincere congratulations to all those that have helped the school prosper and grow over the past 100 years.

PAYING TRIBUTE TO THE ARMENIAN-AMERICAN CULTURAL SOCIETY OF LAS VEGAS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the Armenian-American Cultural Society of Las Vegas on this, the 91st anniversary of the Armenian Genocide. This organization was established in 1978, and since that time has grown in size and influence. They are now the largest non-political, non-denominational organization in Nevada. They have worked tirelessly to educate the general public about the atrocious acts committed against their people and also to help preserve the Armenian culture here in Las Vegas and America.

I am proud to represent a large and vibrant Armenian community in the Third Congressional District of Nevada and I consider it an honor to have been invited to participate in the ceremonies commemorating the 91st anniversary of the Armenian genocide. These ceremonies offer participants an opportunity to honor the survivors and their descendants, and to remind the world of the tragedy that befell Armenians of the Ottoman Empire.

It is estimated that one and a half million Armenians perished between 1915 and 1923 in a genocide planned and executed by the Turkish government against the Armenian population of the Ottoman Empire. The great bulk of the Armenian population was removed from Armenia and Anatolia to Syria, where the vast majority was sent into the desert to die of thirst and hunger. Large numbers of Armenians were methodically massacred throughout the Ottoman Empire. The entire wealth of the Armenian people was expropriated. After only a little more than a year of calm at the end of WWI, the atrocities were renewed between 1920 and 1923, and the remaining Armenians were subjected to further massacres and expulsions.

While there are still many who deny that the Armenian Genocide ever took place, I am pleased to see more and more countries and states and even the media are now in the process of recognizing the genocide. It is critical that we reflect on this human tragedy and on the lessons of history and work to avoid the horrors faced by the Armenian people in 1915.

H.R. 3380—THE GUARDIANSHIP ASSISTANCE PROMOTION AND KINSHIP SUPPORT ACT

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. ZOE LOFGREN of California. Mr. Speaker, I would like to take this opportunity to acknowledge and honor the 294,969 California grandparents as well as 2.4 million grandparents around the Nation who act as primary guardians to grandchildren that are unable to live with their parents. As a result of the service and efforts of these individuals, many children around California and the country are able to live with relatives and stay out of the foster care system.

According to the Census of 2000, 6.8 percent of California's children are living in grandparent-headed households as well as an additional 3.5 percent living in households headed by other non-parent relatives. I commend the efforts these relatives take in providing a safe and familiar living environment for these children.

However, now more than ever, I also recognize the financial hardships and personal sacrifices faced by these guardians. As a cosponsor of H.R. 3380, The Guardianship Assistance Promotion and Kinship Support Act, I am committed to working toward a solution that will help to alleviate these financial burdens placed on guardians and give them access to Federal funds that they deserve.

Today, on behalf of the constituents of the 16th District of California, I extend my deepest appreciation to these exceptional guardians. It is an honor to have many of these individuals in my own district whose care and commitment to vulnerable children help to build a better future for them.

IN RECOGNITION OF COUNTY CONNECTION'S 25TH ANNIVERSARY

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mrs. TAUSCHER. Mr. Speaker, I rise with my colleague, Representative GEORGE MILLER, to pay tribute to County Connection, the public bus system provider that serves more than a dozen communities and unincorporated areas of central Contra Costa County in our two Congressional Districts.

County Connection was founded on March 27, 1980 under a Joint Exercise of Powers Agreement. After several years of careful planning, locally elected officials in Central Contra Costa recognized the need for a truly coordinated and integrated regional transit system.

County Connection began providing service with 12 buses, carrying 1,950,000 passengers, traveling 1,423,357 miles. In just its first ten years, the agency multiplied its fleet of buses ten fold. Today, the transportation agency maintains a current fleet of 131 buses and 56 LINK vans, makes nearly 5,000,000 fixed-route and paratransit trips throughout central Contra Costa and provides 4.5 million rides annually.

The system is now overseen by an 11-member Board of Directors, one representative from each jurisdiction and one representative for the unincorporated areas of Central County.

Since its establishment, County Connection has received numerous prestigious awards including; the American Public Transit Association (APTA) Minority & Women Advancement Award for its meritorious accomplishments in the employment, promotion and training of minorities and women in management positions, and this year, the California Water Environment Association recognized the agency with its ''Facility of the Year'' award in recognition for going above and beyond normal efforts to protect susceptible plant and wildlife that survive in local streams.

For 25 years, County Connection has provided vital transportation services to residents throughout Central Contra Costa. As the population of this County grows, the services provided by County Connection have never been needed more. Each day agency buses help people get to their work, return home, and in general provide a service that no other program in the community can. Today, we are proud to commend County Connection for the agency's service to the community and its lasting commitment to the people of Contra Costa County.

MGIB LEGISLATION

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mrs. DAVIS of California. Mr. Speaker, I rise today to address an inequity facing America's men and women in uniform who seek an education in return for their military service.

For years, the Montgomery GI Bill (MGIB) has allowed thousands of men and women in uniform attend college or to receive vocational training to prepare for a new career after the military.

It is an excellent program and one we must preserve.

However, Mr. Speaker, I would like to remedy an inequity that exists in this program with legislation I am introducing today.

To receive the benefits of the Montgomery GI Bill, our service members must pay $1,200 to $1,800 into the program at the beginning of their military service.

A $100 is deducted each month from their military pay for the first 12 months, for example.

With the legislation I offer today, our service members would still make the initial contribution. However, this contribution would no longer count against them later on when they apply for federal student aid.

In many cases, Mr. Speaker, the Montgomery GI Bill alone does not cover the cost for college or job training. Our service members must also apply for federal student aid to cover tuition and other expenses.

The Department of Education considers their benefits from the Montgomery GI Bill as ''income''—thereby reducing the amount they are eligible to receive from federal student aid programs.

This legislation goes back to the $1,200 out-of-pocket contribution that a service member made to become eligible for the Montgomery GI Bill.

It is not fair to ask our service members to pay the original amount out of their own pocket and then penalize them for it later on.

This bill would simply exempt the original contribution that came from their own pocket from the Department of Education's income consideration.

This legislation does not present significant cost to the federal government but would go a long way to help America's individual service members afford college.

I offered the provisions contained in this legislation as part of the College Access and Opportunity Act (H.R. 609) when it was on the House floor.

Unfortunately, the amendment was not accepted, but I plan to pursue the issue until we correct this inequity.

Mr. Speaker, I would also like to take just a moment to thank those who have worked on

this issue and who have pushed for the exemption in the past.

I am proud to offer this legislation along with Ranking Member LANE EVANS of the House Committee on Veterans' Affairs.

Mr. EVANS and his staff have been seeking a remedy for this inequity for several years.

Mr. Speaker, thank you for the opportunity to offer legislation benefiting America's military service members and helping them to attend college or receive job training.

TRIBUTE ON THE RETIREMENT OF ED PEREZ

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. ROYBAL-ALLARD. Mr. Speaker, I wish to honor the 30 years of service that Ed Perez, Esq. has given to the City of Los Angeles. Although his retirement from the City Attorney's Office on February 17th marks the end of his City employment, it does not end a notable career in the practice of law. Indeed, his contributions to the City's telecommunications policies have been so great that several members of the City Council hope he will return as an advisor.

As the City continues to negotiate franchise agreements and shape important telecommunication policies that impact the everyday lives of all Angelinos, we understand the value and depth of expertise that a faithful employee brings to the table at this critical time.

Mr. Perez began his initial employment with the Office of the City Attorney in the Criminal Division and switched to the Civil Division 3 years later. In that position he provided legal advice regarding public utilities such as telecommunications and energy, and transactional matters for the City's Information Technology Agency.

Mr. Perez was the City's legal advisor for cable television franchising and regulation from 1981–2003, beginning with the initial wiring of the city in 1981 and culminating in the citywide franchising agreements in 1987. During this period, Mr. Perez had the distinguished honor of presenting an oral argument before the United States Supreme Court in 1986, in the *Preferred Communications* v. *City of Los Angeles,* 476 U.S. 488. For this, we offer our sincere appreciation to Ed Perez for both his commitment to and invaluable understanding of these issues on behalf of the citizens of Los Angeles.

When Mr. Perez transferred to the Department of Water and Power in June 2003, he continued to be one of the principal attorneys monitoring complex utility regulations for the City.

He looks forward to more time with his wife Patricia, and their children, Christine and David, upon his retirement. I wish him all the best as he plans for an active retirement and sincerely thank him for his noteworthy accomplishments on behalf of the citizens of Los Angeles.

RECOGNIZING THE LAUNCH OF U.S.-KOREA FTA NEGOTIATIONS

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. MEEKS of New York. Mr. Speaker, in a ceremony held February 2, 2006, in the Mansfield Room of the U.S. Capitol and attended by many Members of Congress, U.S. Trade Representative Rob Portman and South Korean Minister of Trade Hyun-Chong Kim announced the commencement of negotiations toward a U.S.-Korea Free Trade Agreement and signaled their commitment to conclude the talks by March 2007. The U.S. and Korea plan to implement the agreement by September 2007. In light of the fact that the FTA negotiations will officially begin next week, I rise to recognize the significance of this undertaking.

Launching the United States-South Korea FTA talks is a critical step in the relationship with an important U.S. strategic ally and economic partner. I strongly believe that as we pursue market access for U.S. exporters, it is to our advantage to strengthen already constructive relationships with our allies. South Korea is our seventh largest trading partner and a friend in a challenging region of the world. Advancing the economic relationship makes sense and will be an important benefit to two great nations.

Close engagement between the U.S. and South Korea has paved the way for FTA negotiations. Even before the official announcement, the South Korean Government demonstrated how important it considers improved trade relations with the United States. South Korea took the concrete step of reducing the long-standing quotas that limited the screening of films by the American entertainment industry. I am encouraged by the progress that has been made so far on addressing several trade concerns. I am confident that South Korea will continue to work closely with the USTR Rob Portman toward making this endeavor a success.

The FTA negotiations will officially begin on May 3, following the expiration of the statutory 90-day consultative period. In the interim, our two governments have agreed to hold preliminary discussions. According to reports, once the FTA takes full effect, over 90 percent of traded goods between the U.S. and Korea will be phased out over 10 years.

Mr. Speaker, in the interest of underscoring the importance of these talks, permit me to list a few salient facts about the U.S.-Korean economic relationship.

South Korea is a stable, democratic country with a free-enterprise economy and a gross domestic product of $726.5 billion in 2005, making it the world's 11th largest economy.

The per capita income of South Koreans in 2004 is an impressive $14,162.

As noted by the Los Angeles Times, South Korea is now the seventh largest trading partner of the United States, with over $72 billion in trade volume each year. Moreover, South Korea is the fifth largest market for U.S. agricultural products.

U.S. exports into South Korea totaled $25.1 billion through November of 2005, up 4.6 percent from the same period in 2004, with the biggest U.S. sales coming in computer chips, $4.2 billion; industrial machinery, $1.4 billion, organic chemicals, $1.3 billion, and civilian aircraft at $953 million.

At the same time, South Korean exports to the United States totaled $40.1 billion through November 2005, down 5.4 percent from the same period in 2004, with the biggest South Korean sales coming in passenger cars, $7.2 billion; household goods, including cell phones, at $5.7 billion; computer chips, $2.8 billion; and computer accessories, televisions, and VCRs at $3.9 billion.

According to a study done in 2001 by the U.S. International Trade Commission, a U.S.-Korea free-trade agreement could increase U.S. exports to South Korea by $19 billion and U.S. imports from South Korea by $10 billion.

Finally, according to the U.S. Department of Commerce, during the 2004 calendar year, 627,000 South Koreans visited the United States for tourism and business travel, representing the fifth largest foreign market of tourists, excluding Canada and Mexico.

Mr. Speaker, for these reasons, I wish to recognize the launch of the U.S.-Korea Free Trade Agreement negotiations and I encourage my colleagues to offer their own expressions of support. South Korea is a long-standing and trustworthy ally of the United States and a mutual FTA would only further solidify and reinforce our alliance partnership.

TRIBUTE TO 2005 NOBEL PRIZE WINNERS

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. HOLT. Mr. Speaker, I rise to celebrate and honor Drs. Roy J. Glauber, John L. Hall, and Theodor Hänsch for being awarded the Nobel Prize in Physics for 2005, and Drs. Yves Chauvin, Robert H. Grubbs, and Richard R. Schrock for being awarded the Nobel Prize in Chemistry for 2005.

The 2005 Nobel Prize in Physics encompasses the field of optics and its applications. The three gentlemen celebrated today are laser pioneers. Lasers have numerous practical applications, including in products such as CD players and grocery store scanners, for computer manufacturing, and in surgery.

Roy Glauber gave a detailed, quantum mechanical description of the interaction of light and matter, thus creating the foundation for the field of quantum optics. Glauber's work also created the groundwork on the quantum theory of lasers.

In addition, John Hall and Theodor Hänsch received the prize for their contributions to the development of laser-based precision spectroscopy. This technique allows scientists to probe the atom with ever-increasing accuracy, explore the subtle intricacies of gravity, and lead to a better understanding of the pressing question of imbalance between the amounts of matter and antimatter in the universe.

The work of the three in concert will lead, for instance, to the next generation satellite navigation systems, improving on GPS, which is widely used in both military and civilian transportation systems. Another major potential application of this research, quantum cryptography, which could impenetrably secure data transmission, is of interest to financial institutions and governments as the emerging

knowledge economy requires the protection of information and ideas.

I would also like to recognize Dr. Yves Chauvin, Professor Robert H. Grubbs, and Professor Richard R. Schrock who were awarded the 2005 Nobel Prize in Chemistry for development of the metathesis method in organic synthesis. From the Greek words meaning to change position, metathesis methodology, and its variety of enabling catalysts, have become invaluable in the development and industrial scale production of polymers, fuel additives, biologically active compounds, and drugs.

The formation and reorganization of carbon-carbon bonds is the heart of synthetic organic chemistry. Developing new techniques and methods for controlling carbon connectivity is critical to advancing an enormous range of scientific advancement and technological development.

Methods like metathesis represent the very tools used by chemists around the world to build better drugs, better fuels, and better materials in ways that are cheaper, faster, and cleaner. Chemists around the world have incorporated metathesis reactions into production schemes for novel medicines and even materials used in bullet-proof vests; and the increased efficiency realized by metathesis reactions leads to less waste generated in the process.

The work of these Noble laureates reverberates through technological developments and innovative engineering, resulting in the strengthening of our economy. The basic research which brought about the Nobel Prizes in 2005 was funded by agencies like the National Institutes of Health, the National Science Foundation, and the National Institute of Standards and Technology, which are funded by the Federal Government.

While much of the fundamental research performed or funded through these agencies may not immediately appear to have practical applications, we must recognize that today's chemical oddity or strange physical principle could be tomorrow's Nobel Prize. Yet, the total Federal research and development portfolio is taking a cut for the first time since 1996 in the President's fiscal year 2007 budget request.

Mr. Speaker, the world is in transition right now. We, and the other industrialized nations of the world, are accelerating into a knowledge-based global economy. We can make no assumptions that the United States will remain the dominant factor in this economy. Complacency will be our downfall.

As we celebrate Nobel Prize winners and honor their work, we are slipping behind in the scramble for the top of the globalization mountain. Other nations are acting as we sit thinking of actions to take. The cultural shift required for our Nation to move forward and maintain a competitive edge over other nations begins with how the Federal Government spends its money. We must increase the funding for research and development to maintain our competitiveness.

We must come together as one Congress, united across party lines, choosing to act for our future.

RECOGNIZING BILL SERGEANT

HON. WILLIAM L. JENKINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. JENKINS. Mr. Speaker, I would like to recognize the outstanding humanitarian service and contribution made by Rotarian William T. ("Bill") Sergeant on the occasion of his retirement from his position as Chairman of the International PolioPlus Committee of The Rotary Foundation of Rotary International—a committee that develops Rotary's policies and strategies to achieve polio eradication. Since the inception of Rotary's International PolioPlus Committee in 1994, Bill Sergeant, a retired Colonel, has served tirelessly as the General leading the efforts of Rotary's army of 1.2 million volunteers in the war against polio.

A member of the Rotary club of Oak Ridge, Tennessee for more than 50 years, Bill Sergeant held many leadership positions in Rotary, including Rotary International Vice-president, Director, and Foundation Trustee, before assuming leadership of PolioPlus, Rotary's flagship program. Bill Sergeant has traveled to countries on 6 continents to participate in polio eradication activities, represented Rotary International at strategic meetings, and promoted the cause of global polio eradication and ensured its prominence among the Rotary world as Rotary's highest priority.

Through his integrity, acumen and keen observation, Bill Sergeant quickly earned the respect of peers in the other three spearheading organizations: the World Health Organization, UNICEF, and the U.S. Centers for Disease Control and Prevention; thereby strengthening the efficacy of this unique public/private collaborative effort for the ultimate benefit of the children of the world. Under Bill Sergeant's leadership, Rotary established criteria for the strategic use of PolioPlus grant funds, launched the PolioPlus Partners program to provide supplemental support for critical polio eradication activities, and established international advocacy to ensure sufficient political and financial public sector support for global polio eradication efforts.

During his tenure as Chairman of Rotary's International PolioPlus Committee, three regions of the world have been certified polio-free and only four countries remain with endemic transmission of polio. Bill Sergeant has demonstrated, through his exemplary, single-minded dedication to the goal of a polio-free world, that one man can make the world a better place through commitment, determination, and a great deal of heart.

Mr. Speaker, I ask you and our fellow representatives to join me in recognizing Bill Sergeant for his outstanding leadership and service in support of the goal of a polio-free world—a goal which the United States Government shares.

TRIBUTE TO MR. MAI TRAN AND MR. BRUCE HOTTMAN

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise today to recognize and congratulate Mr. Mai Tran and Mr. Bruce Hottman of Information Technology Experts in Fort Collins, Colorado on being named Small Business Persons of the Year by the Small Business Administration.

Over the course of its 10-year history, ITX has consistently been recognized as one of Colorado's foremost small businesses. As a leading provider of full-service Information Technology support in Northern Colorado, ITX has earned the confidence of numerous corporate, non-profit, and governmental organizations. The leadership and expertise demonstrated by Mr. Tran and Mr. Hottman have resulted in the tremendous expansion and growth of ITX. In only 6 years, ITX has more than tripled the size of its workforce to 95 individuals.

Mr. Speaker, the remarkable economic success realized by ITX pales in comparison to the extraordinary generosity and commitment to the community embodied by members of the ITX family. Following the 2004 Asian tsunami disaster, ITX generously contributed funds to aid Chennai victims and was subsequently honored by the City of Fort Collins with a key to the city. Additionally, ITX has been lauded for providing much-needed computer equipment to the Asian Chamber of Commerce and discounted IT services to over a dozen Northern Colorado non-profit organizations.

As a member of the Governor's Minority Business Advisory Council, Mai Tran is a recognized leader in the small business community and is active in addressing issues that affect minority businesses across the State. He personifies his own belief that through skill, hard work, and determination, minority businesses strengthen Colorado's economy.

At the age of 16, Mr. Tran fled to the United States after South Vietnam fell to communism. Through a great deal of determination and hard work, Mr. Tran overcame his lack of English skills and went on to earn a degree in Computer Science and Mathematics from Colorado State University. Today, as President and CEO of ITX, Mr. Tran's dedication and commitment to others serves as an inspiration to his employees and his community.

As co-founder and Executive Vice President of ITX, Mr. Hottman's wealth of experience and expertise in the field of information technology have ensured the success of ITX and its continued contributions to the community. After graduating from Colorado State University with a degree in computer information systems, Mr. Hottman worked at United Banks and the United States Department of Agriculture before joining the Western Area Power Administration as Project Leader. While at WAPA, Mr. Hottman and Mr. Tran worked together as a high performing team of IT professionals, and in 1996 they decided to form their own IT services provider. Like Mr. Tran, Mr. Hottman's involvement in the Fort Collins Foothills Rotary Club and other community organizations has inspired and encouraged the employees of ITX to become active members of their community.

I am proud to represent individuals with such a remarkable entrepreneurial and compassionate spirit. Mr. Speaker, I urge my colleagues to join me in recognizing the many accomplishments and selfless dedication of Mr. Mai Tran and Mr. Bruce Hottman.

IN RECOGNITION OF TEXAS WESLEYAN UNIVERSITY'S TABLE TENNIS TEAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BURGESS. Mr. Speaker, I rise today to honor the teamwork and spirit of the Texas Wesleyan University's Table Tennis program. These individuals have established themselves as true champions, emphasized no less by their devotion and passion to the sport. Texas Wesleyan is home to the National Championship Team for Collegiate Table Tennis, a title they have held since 2002. Texas Wesleyan University has won 16 out of 25 possible collegiate titles in 4 years.

The Texas Wesleyan table tennis players have exhibited their commitment to each other and their common goals this past season by diligently competing and overcoming any adversity in their way. Throughout the season these outstanding individuals have shown the success that comes from working as a team to achieve a great goal.

Under the leadership of former coaches and players such as Christian Lillieroos, the team has continued its championship status. It is with great honor that I stand here today to recognize this group of individuals who have made their community so proud: Interim Coach Keith Evans; Interim Assistant Coach Jasna Reed; Program Assistant Michael Meier; Volunteer Assistant Coach James Rautis; and Women's Junior Varsity team members Johnese Evans and Kareema Styles; Women's Varsity team members Jasna Reed and Sabrina Worrell; Men's Junior Varsity team members Andre Scott, Aldis Presley, Michael Meier, David Livings, Peter Lindsay-van der Puije, Sadiq Khan and Tim Aikey; and Men's Varsity team members Eric Owens, Courtney Roberts, Dinko Kranjac, Abdul Rahman Khan, Ludovic Gombos and Carlos Chiu.

The table tennis program of Texas Wesleyan University has demonstrated the essence of the American spirit of sportsmanship.

ACADEMIC ALL-STAR TEAM

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize nominees for the Regional Academic All-Star Team from the Pennyroyal region in western Kentucky.

The regional academic All-Star program's purpose is to recognize top academic scholars and performers. Students from Caldwell, Christian, Trigg and Todd Counties of Kentucky were nominated based upon their academic performance in seven disciplines: English, foreign language, journalism, mathematics, science, social studies and the creative and performing arts. The students are judged on their core academic score, the curriculum of the student, their grade point average, academic honors earned, unique accomplishments and achievements, extracurricular activities, both school related and outside school activities, employment history, and an autobiographical essay.

Mr. Speaker, education is the foundation upon which we reach our human potential. Students in my district are developing their talents, furthering their education and pursuing their aspirations in life through programs like the Academic All-Star program. Encouragement and recognition develop confidence and achievement among young Americans—the future leaders of our country.

The following students have been nominated for their academic excellence:

David Keith Greene III, David Aaron Griffith, Brian Matthew Harrell, Kenton Mark Henderson, Matthew Thomas Hightower, Nicole Liane Paul, Michael Wayne Rowe, Lindsey Michelle Storm, Allison Rae Hudson, Steven Kurtis McGhee, Samantha Jean Moore, Daniel Stephen Richard, Elizabeth Alice Riley, Dustin Alan Shaw, Sarah Nicole Becker, Amanda Josephine Collett, Jessica Elizabeth Joy Gapp, Samantha René McIntyre, Cody James Noffsinger, Hilary Dawn Pate, Mary Rachel Ray, Paul Allen Reed, Thomas Andrew Burkhead, Amanda Leigh Hall, and Lindsey Nicole Hancock.

Eric Anthony Money, Kelsey Paige Pendleton, John Luke Schirtzinger, Sarah Ann Stokes, Christie Marie White, Bethany Ann Cooper, Caitlyn Taylor Hughes, Kari Jaclyn Keech, Patrick Ross Metcalfe, Denver Andrew Sizemore, Caitlyn White, Betsy Camille Austin, Barrett Ray Boyd, Garrett James Ebel, Hunter Wood Hayes, John David Heisterberg, Garrett Richard Sharp, Stacey Brooke Sholar, James Gregory Williams II, Justin Keith Cavanaugh, Courtney Lynn Greenfield, Joshua Dwayne Jenkins, Aleia Lynne Judd, and Palak Manoj Majmudar.

Brittney Michele Metts, Forrest Samuel Pittman, Amanda Jane Sweet, Brittney Michelle Addison, Alana Freeman Baker, Kyle Mark Dettro, Leonard Gordon, Jr., Jennifer Lee Robinson, Derrick Shane Strong, Jillian Katherine Terhune, Kelsi Micole Austin, Amanda Baker, Hadley Burns, Shantinna Marie Hartrum, Mackenzie Isenberg, Emily K. Kelley, Lyndsey McClain, Cody Warren Nance, Stephanie M. Radford, Brandon Thomas Stanley, Hannah Elizabeth Stokes, Kanisha Paige Frye, Keishla A. Garcia, and Tanner James.

Justin Jatczak, Jordan Lee Johnson, Aaron Michael Laurent, Leslie Denise Peck, Brittany Sweet, Kevin Tyler Wiseman, Preston Workman, John Wright, Marty Stuart Asbridge, Taylor Davis, Lyndsey McClain, Anna Miller, Kendra Angela Montejos, Carly Jo P'Pool, Michelle Schulz, Thomas Shaheen, Chelsea Smith, Sarah Tucker, Josh Villafranca, Matthew P. Clark, Will Farmer, Thomas James Gilkey, Casey Haley, Austin Porter Hart, Jessica Nichole Jobe, Emily Anne Koehler, Tierra L. McShan, James Lile Rummage, Ashton Spangler, and Kelsey Elizabeth Thomason.

Mr. Speaker, these students embody the spirit, commitment and sacrifice that we all should strive for in our daily lives. I am proud to represent them in my District. I extend my thanks to these students for their efforts, and I am proud to bring their accomplishments to the attention of this House.

TRIBUTE TO MR. EDDIE WALTER JACKSON, JR.

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. EDWARDS. Mr. Speaker, I rise to recognize a great individual and community leader, Mr. Eddie Walter Jackson, Jr., and to thank him for his contributions to the greater Waco community and this great Nation.

Mr. Jackson is one of three children born to the late Ed W. Jackson, Sr., and the late Lula Mae Bowman Parker.

Mr. Jackson graduated from Corsicana Public Schools and later Paul Quinn College where he received a Bachelor of Science degree in mathematics and business. He served this Nation honorably as a member of the U.S. Navy, World War II veteran.

Following his service in the military, Mr. Jackson's exemplary work history includes working as a teacher and coach at the Anderson High School in Mart, TX; 34 years of outstanding service at the Veterans Administration Medical Center in Waco, TX, and Nick's Restaurant for over 30 years.

Mr. Jackson has a deep love for his family. He shared wonderful years of marriage to the late Lonnie B. Taylor Jackson. They had one son, Ronald Wayne Jackson, Sr., and three daughters, Sara L. Pimpton, Doris Laverne Jackson, and Portia Elaine Jackson. He is a proud and devoted grandfather of nine, great-grandfather of eight, and great-great-grandfather of two.

For over half a century today, Mr. Jackson has been a devoted member of the Pleasant Olive Missionary Baptist Church. He is a life member of the American Legion, a member of the A. Phillip Randolph Institute, the American Federation of Government Employees, AFGE, Local 1822 for over 40 years, a dedicated member of the Central Texas Labor Council for 50 years and the Masonic Family-Mason.

Within the community, Mr. Jackson has shown a deep commitment by serving as a deputized voter registrar, poll watcher for elections, precinct 2, volunteer for the Democratic Party, and a candidate for the Silver Haired Legislature.

Mr. Jackson is a man of energy and action. He is the past president of the North Junior School PTA, past vice-president of AFGE Local 1822 and the immediate past president of the Central Texas Labor Council. He has dedicated his life to working to make Waco a better community.

Mr. Speaker, it is a privilege to honor Mr. Eddie Walter Jackson, Jr., and offer my heartfelt appreciation for a life dedicated to service to the Central Texas Labor Council, his community and the people of Central Texas.

TRIBUTE ON THE RETIREMENT OF AMERICAN HOSPITAL ASSOCIATION PRESIDENT RICHARD J. DAVIDSON

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CARDIN. Mr. Speaker, I rise to congratulate Dick Davidson, President of the

American Hospital Association, who has announced that he will retire on January 1, 2007.

I have been privileged to know Dick Davidson for decades, since he headed the Maryland Hospital Association and I was a member of the Maryland House of Delegates. During his 22 years as the first president of MHA, Dick believed strongly in the shared obligation between state government and hospitals to ensure that communities' health needs are met, and he put that belief into practice. MHA was a proactive partner with the Maryland state government in creating innovative approaches to issues of health care costs and quality, most notably the Health Services Cost Review Commission, and the MHA Quality Indicator (QI) Project, the largest national and international effort to measure and compare indicators of hospital performance. More than 1,900 health care organizations in the United States and abroad now participate in the QI Project. I am pleased to note that the tradition of collaboration established by Davidson continues at MHA today.

In 1991, Dick Davidson was named President of the American Hospital Association, which represents 4,800 hospitals and health systems throughout the nation. At AHA, he continued to foster the tenet that hospitals and the federal government could together create ways to better serve the health needs of their communities. He assembled what is often considered the finest team of policy professionals and advocates in Washington. Davidson's tenure will also be remembered for promoting diversity in health care leadership. In 1994, AHA founded the Institute for Diversity in Health Management to expand leadership opportunities for ethnically, culturally, and racially diverse individuals, and increase the number of these individuals entering and advancing in the field. Over the past decade, the Institute has awarded more than $110,000 in scholarships to undergraduate and graduate students, and placed candidates in residencies and fellowships at health care organizations across the country.

Among health care providers, payers, analysts, and policymakers, there is strong consensus that Dick Davidson's leadership has contributed to the improvement of the quality of health care across America. For that, the health care community and, indeed, our nation are grateful.

I also want to congratulate Dick's wife Janet, who will undoubtedly be able to spend much more time with him beginning in 2007. Janet was herself a fixture in the Maryland state house for many years, having worked for current Senate President Mike Miller and former Senate President STENY HOYER, among other distinguished elected officials. I would ask my colleagues in the House of Representatives to join me in wishing the entire Davidson family—including their three sons—Mike, Andy, and Rick—all the best as the Davidson era at the American Hospital Association draws to a close.

RECOGNIZING MR. LONNIE EUGENE ROARK

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. SOLIS. Mr. Speaker, I rise today in remembrance of my uncle, Lonnie Eugene Roark, who passed away on April 15, 2006 at the age of 84.

Mr. Roark was born on February 11, 1922 in Missouri and grew up in Oklahoma during the Great Depression. He later moved to California and spent most of his life in the community of La Puente.

Mr. Roark was a proud veteran of our armed forces. He was stationed in Brazil during World War II while serving in the U.S. Army and went on to serve in the Philippines and Hawai'i with the U.S. Air Force. Mr. Roark's service is commemorated in the book, Fighting Men of Oklahoma.

Mr. Roark was like a brother to my father, Raul Solis, and was my sister, Anna Solis', godfather. His acts of kindness and dedication have inspired me and many who know him. It is a true blessing to have been raised with a role model like Mr. Roark; it is not every day that we encounter a person filled with such generosity and love.

Mr. Roark was a devoted husband, father, grandfather, great-grandfather, and friend. He is survived by his wife, 3 children, 4 grand children and 3 great-grand children. He will be truly missed.

HONORING THE LATE CHARLES WILLIAM ROGER

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BOUSTANY. Mr. Speaker, I rise today to recognize and honor a man who will long be remembered for his devotion to his family, church, community and nation. Charlie Roger of New Iberia, LA, died last month following heart complications he experienced during surgery.

A native of Lafayette and a resident of New Iberia for 15 years, Charlie was a veteran of the U.S. Marine Corps. Following his military service, Charlie continued to exemplify the Marine code of ''Semper Fidelis'' by serving as an officer with the Lafayette Police Department, ultimately retiring as a Captain. I came to know Charlie through his most recent service as a Court Security Officer at the Federal Court House in Lafayette, where my office is located. I will always remember his smiling face as he walked the halls of the courthouse, keeping the building safe for my staff and the many other employees who worked there everyday.

Outside of his public service, Charlie also worked as a limousine driver for Mary Ellen's Bridal Shop on weekends. He was also an exceptionally talented musician, and was well known for playing the drums in his own band, ''Charlie Roger and the Lafayette Playboys,'' or playing the scrub board with ''Kenny and the Heart Breakers.'' Most recently, Charlie was awarded the Cajun French Music Association ''First New CD of the Year 2006 Award.''

In his off time, Charlie enjoyed working out and weight lifting at Red Lerille's Health Club. He was a member of the Sacred Heart of Jesus Catholic Community in Broussard, and also remained a member of the Marine Corps League and Fraternal Order of Police Officers.

I ask my colleagues here in the House of Representatives to join me in paying tribute to the memory of this outstanding public servant and in offering our deepest condolences to his wife, Debbie Picard Roger; his son Charles ''C.J.'' Jude Roger; his sister Nelda Powell; and his brother Joseph Roger.

IN HONOR OF THE VOLUNTEERS OF SOUTHWEST HOUSING AND THE VILLAS OF REMOND COMMUNITY IN DALLAS, TEXAS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. SESSIONS. Mr. Speaker, I rise today to honor the generous volunteers of Southwest Housing and the Villas of Remond community in Dallas, Texas. While many volunteers in the DFW Metroplex are worthy of recognition during National Volunteer Appreciation Week, the Southwest Housing and the Villas of Remond Community have performed inspiring and commendable work through their many acts of volunteerism.

During the past year, these volunteers have served on hospitality, spiritual wellness and entertainment committees that make important decisions for their community. They have led Bible studies, exercise classes, hosted book clubs, and planned celebrations. Additionally, volunteers and residents not only shared the food and clothes with the Hurricanes Katrina and Rita evacuees, but also encouraged friends, fellow churchgoers and family members to do the same. Through their generous work they have experienced first-hand the ancient truth to give is better than to receive.

The Villas of Remond is a senior community for ages 60 and ''better'' that encourages its residents to live life to the fullest and share their love, laughter and wisdom with anyone in need. It is indeed an honor and privilege to have these exceptional volunteers supporting the Dallas community. I salute their leadership and look forward to hearing of their continued volunteer success stories that are so critical to the local community.

INITIATIVES UNDERTAKEN BY THE CUBAN-AMERICAN COMMUNITY TO AID THE CHILDREN OF UKRAINE ON THE 20TH ANNIVERSARY OF THE CHERNOBYL TRAGEDY

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, last December I had the honor to lead a Congressional delegation to Ukraine. The focus of the visit was to identify humanitarian initiatives that the Cuban-American community, that I am honored to represent, could undertake to help the ''Orange Revolution'' as it moved forward to address the most pressing needs of the Ukrainian people.

In the fall of 2005, Undersecretary of State Paula Dobbriansky was kind enough to arrange a meeting with the First Lady of Ukraine, Katerina Yushchenko. During that meeting the First Lady made clear that one of

President Viktor Yushchenko's priorities is to improve the healthcare system in Ukraine, and that she had established a foundation, known as Ukraine 3000, for the purpose of aiding hospitals in Ukraine by securing much needed medical equipment and medicines.

The delegation I led to Kiev in early December included Dr. Stephen Lipshultz, professor and chairman of the Department of Pediatrics at the University of Miami School of Medicine, Dianne M. Kube, Chief Administrative Officer of the Community Oncology Alliance, Sylvia Iriondo, a respected Cuban-American leader and President of Mothers and Women Against Repression, and Dr. Zenon Matkiwsky, President and Chairman of the Children of Chernobyl Relief and Development Fund and Nadia Matkiwsky, a member of the Board of Directors. These two Ukrainian-Americans have spent the last 13 years tirelessly dedicated to helping the people of Ukraine.

As a result of our visits to various pediatric hospitals in Kiev and meetings with Ukrainian government officials, including President Viktor Yushchenko, and also Mrs. Yushchenko, we identified three initiatives that would be the focus of our work during the course of 2006, the 20th Anniversary of the Chernobyl Tragedy. First, establishing a physician exchange program with the University of Miami's School of Medicine so that physicians in Ukraine could come to the United States to meet with their counterparts and establish links of communication on the latest medical techniques, procedures and medicines. This past January the first step was taken toward creating this exchange program; six of Ukraine's leading pediatric physicians attend a national pediatric conference in Miami hosted by the University of Miami's School of Medicine. Second, helping the Children of Chernobyl Relief and Development Fund, a highly respected humanitarian organization led by Dr. Zenon Matkiwsky and Nadia Matkiwsky, to secure medical equipment and medicines for the 20th Anniversary Airlift that the U.S. State Department is coordinating. Children of Chernobyl have an impressive reputation in working to obtain medical equipment and medicines for the neediest hospitals in Ukraine. And another initiative identified by the group, is to bring children from Ukraine who are ill to vacation at Walt Disney World in Orlando, Florida. The first Ukrainian child, thanks to the generosity of Mrs. Sylvia Iriondo, already spent five days visiting the "Magic Kingdom".

I commend the Children of Chernobyl Relief and Development Fund for their dedication over the years on behalf of the people of Ukraine, especially Dr. and Mrs. Matkiwsky who are the heart and soul of the organization. I am also truly optimistic regarding the relationship that has been forged between physicians at the University of Miami's School of Medicine and physicians from Ukraine, and I commend Dr. Stephen Lipshultz for spearheading this worthy endeavor. I also thank Dianne Kube for her sound guidance and the countless hours she has dedicated to work on these initiatives, and Sylvia Iriondo for her generosity and constant leadership.

Mr. Speaker, as we pass this resolution commemorating the 20th Anniversary of the Chernobyl tragedy, I am honored to say that the community I represent is committed to doing all it can to help the noble people of Ukraine as they move forward on their new democratic course.

TO NAME THE MANASSAS POST OFFICE IN HONOR OF THE LATE HONORABLE HARRY J. PARRISH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. WOLF. Mr. Speaker, I am pleased to honor the legacy of the Honorable Harry J. Parrish by introducing legislation which would name the Manassas Post Office at 8801 Sudley Road, Manassas, VA 20110 the "Harry J. Parrish Post Office Building." Mr. Parrish was a member of the Virginia General Assembly and decorated World War II pilot from Manassas, Virginia, who passed away on March 28 at the age of 84.

Harry Parrish served over 50 years in elected office, including 13 terms in the Virginia House of Delegates and chairman of the Finance Committee since 2000, Manassas council member and mayor. At the time of his passing, he was the oldest serving member of the House of Delegates. During his 12 years as town councilman and 18 years as mayor, Harry helped guide the transformation of Manassas from a small Virginia town to a thriving, lively suburb. As a member of the House of Delegates, he was known for conducting himself in a bipartisan manner, putting Virginia first. I was proud to call Harry my friend. He was a true Virginia gentleman.

As a decorated World War II pilot, Harry was part of the British Royal Air Force. He flew C–47s over the Himalayas delivering supplies, weapons and other cargo, from India to China. He received the Distinguished Flying Cross and the Air Medal for his valiant efforts. He served as a reservist in the Korean and Vietnam wars before retiring as a colonel.

Naming the post office on Sudley Road in Manassas in his honor is an appropriate reminder to the people of Manassas of Harry's dedication to public service.

COMMEMORATING THE 70TH ANNIVERSARY OF MR. AND MRS. CARL W. RAFOTH

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. NORWOOD. Mr. Speaker, I rise today to congratulate Mr. and Mrs. Carl Rafoth of Augusta, GA on the occasion of their 70th wedding anniversary, which they celebrated on April 21, 2006. Carl and Hylda Rafoth were married on April 21, 1936, in Youngstown, OH. Carl supported his family of four children by working at the Islay Dairy Company in Youngstown. Since then, their family has grown significantly in size, as they now have 11 grandchildren and 14 great-grandchildren. Their family resides throughout the country in Georgia, Ohio, and Pennsylvania, where their children, grandchildren, and great-grandchildren hold fast to the work ethic and patriotism instilled in them by these two fine Americans.

Carl's and Hylda's many decades together exemplify our American values concerning the institution of marriage. They are committed citizens, and even in their golden years, they have never waned in actively serving their family, their country and their community in Augusta. Their service and dedication are a model for all Americans, and I come before the House with the hopes that they had a most memorable 70th anniversary.

HOLOCAUST MEMORIAL DAY

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CANTOR. Mr. Speaker, I rise today to commemorate Yom Hashoa, Holocaust Memorial Day.

Yom Hashoa is a day set aside on the Jewish calendar to recall with great reverence and respect the lives of the millions of victims of the Holocaust.

More than 60 years ago, a maniacal dictator rose to power in Europe, and darkness fell upon the earth. Through a doctrine of hatred and destruction, he slew blameless, pure and innocent, men, women and children. The Nazis were intent on performing a systematic annihilation of the Jewish people. Their brutal endeavor to commit genocide was no more evident than in their zeal for murdering children.

It is a heinous crime to destroy a people's past and to annihilate their future. One can only imagine the contributions to the world lost by this act of genocide, not only for our generation but for the future generations that will now never exist.

For the survivors, the Holocaust did not end with liberation. Like the marks on their arms, their lives were forever marked by this atrocity. Those who survived faced the enormous challenge of rebuilding their lives. Many succeeded, others did not, but all would remember the horror of the crimes that were perpetrated against them. Survivors who suffered this hell are a living testament to the depths of evil to which man can fall. We must never again allow such a monstrous crime by man to be committed again.

We read in Sefer Yeshayahu, the book of Isaiah:

> In my house and within my walls, I shall give them a Yad Vashem—a monument and a name better than sons and daughters; an eternal, imperishable name will I give them.

On Thursday, in the United States Capitol Rotunda, we will observe Yom Hashoa. Through our observance, we create a human monument assuring that these innocent victims will not be forgotten. We here in the United States, the birthplace of Thomas Jefferson and Martin Luther King, are privileged to enjoy the greatest freedom known to man. We must never allow ourselves to take these freedoms for granted. We must never forget the genocide and human rights abuses that have occurred and, sadly, continue to occur around the world. We must not remain silent. We must dedicate ourselves to continuing to educate people around the globe about the horrors of the Holocaust. We must be eternally vigilant that such intolerance never happens again.

God full of mercy who dwells on high
Grant perfect rest on the wings of Your Divine Presence
In the lofty heights of the holy and pure who shine as the brightness of the heavens

to the souls of the men, women and children who were slaughtered, burned and murdered during the Holocaust for the sanctification of your name,
who have gone to their eternal rest
let us pray for the elevation of their souls.
May their resting place be in the Garden of Eden.
Therefore, the Master of mercy will care for them under the protection of His wings for all time
And bind their souls in the bond of everlasting life.
God is their inheritance and may they rest in peace and let us say Amen.

HONORING ROBERT SILLEN FOR HIS OUTSTANDING WORK IN HEALTHCARE FOR SANTA CLARA COUNTY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise along with my Santa Clara County colleagues Representatives MIKE HONDA and ANNA ESHOO to acknowledge and honor Robert Sillen who is retiring after a noteworthy and successful career in public health serving the residents of Santa Clara County.

In June, 1993, the Santa Clara County Board of Supervisors, on which Congress Members LOFGREN and HONDA served, created a full-service, integrated County health care system consisting of the Santa Clara Valley Medical Center, Department of Public Health, Department of Mental Health, Department of Custody Health Services and the Department of Alcohol & Drug Services. The Santa Clara Valley Health & Hospital System is responsible for a full continuum of preventive intervention and treatment services throughout the County, both directly under County auspices and through contracts with the private sector. The system is comprised of over 6,200 employees and has an annual operating budget of nearly $1.4 billion.

Until very recently, Robert Sillen served as Executive Director and was responsible for all aspects of the system's operations, long range planning, private and public partnerships, community relations, and capital development and information systems. Mr. Sillen was fully accountable for the development of a cost effective, fully integrated system that is essential for the successful conversion to a full-service managed care delivery system in a highly competitive environment. In addition, he was responsible for designing and implementing a County-wide Medi-Cal Managed Care program in June 1996 as well as the Children's Health Initiative and Healthy Kids program in January, 2000.

Prior to his position with the Santa Clara Valley Health & Hospital System, Mr. Sillen was Executive Director of the Santa Clara Valley Medical Center, a 500-bed regional medical center with an operating budget of over $800 million and 4,500 full-time equivalent employees. Services range from community based primary care satellite clinics to regional services for treatment of bums, spinal cord injuries, head trauma, neonatal intensive care, poison control and trauma, the life flight helicopter and health services for those in jail custody.

Prior to his executive director positions with the Santa Clara Valley Health & Hospital System and the Santa Clara Valley Medical Center, Mr. Sillen worked at the University Hospital at the UC Medical Center in San Diego, the City Hospital Center at Elmhurst, New York and the U.S. Public Health Service in New York, New York. He earned his Bachelor's degree from the University of Denver, Colorado and his Master's degree in Public Health from Yale University.

Robert Sillen has acted as a guardian of the virtues and spirit behind the creation of the Santa Clara Valley Health & Hospital System. The initial challenges faced in establishing a foundation for a strong network of health providers with private, local, regional and national departments were dizzying, but achievable with Mr. Sillen at the helm. We sincerely thank him on behalf of the thousands of residents who have benefited from this system and wish him the very best upon his retirement.

EQUAL PAY DAY STATEMENT

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. HONDA. Mr. Speaker, I rise today to address the persistent gender pay gap. More than four decades ago, President Kennedy attempted to address pay disparities between men and women. The Equal Pay Act of 1963 made it unlawful for employers to pay women lower wages than men for equivalent jobs. Unfortunately, this law has not eradicated pay inequality. On average, women still earn about 77 cents for every dollar earned by men. Though women earn about 18 cents more compared to men than they did in 1963, they still face significant and intolerable wage discrimination.

Women of color face even greater discrimination on the payroll. In 2004, African American women earned 67 cents for each dollar earned by white men, and Hispanic women earned a little over half of what white men earned. These pay differences persist even in equivalent positions for employees with the same levels of education and expertise.

Worse yet, pay equality for some positions has actually lost ground in the past few years. Female managers earned less than their male counterparts in 2000 than they did in 1995. Studies have shown that even when women's career choices match those of men and they work the same number of hours in equivalent positions, they earn less than men.

Wage inequality is a major indicator of gender discrimination in our country. As an original cosponsor of the Paycheck Fairness Act, H.R. 1687, I feel that it is the duty of Congress to address this unacceptable gender disparity. The Paycheck Fairness Act would strengthen provisions of the original Equal Pay Act and would make filing for class action status less onerous.

It is well past the time when women should be receiving fair wages for the work that they do. While the overall wage disparity between men and women has decreased since the 1960s, progress has been frustratingly slow. I believe that with appropriate congressional action we can finally reach wage equality for all Americans.

DARFUR PEACE AND ACCOUNTABILITY ACT OF 2006

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2006

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today to express pleasure with the passage of H.R. 3127, the Darfur Peace and Accountability Act.

What is happening in the Darfur region of Sudan is genocide. I have visited the region several times over the past couple of years, and have had the privilege to meet women and children who have suffered and who have survived. Their courage and determination to stay alive—to survive—is an inspiration and it humbles me. The atrocities being perpetrated against the innocent civilians of Darfur must be condemned in the strongest possible terms by this Congress, the Administration, and the international community.

H.R. 3127 attempts to address the dire situation in the Darfur region by reaffirming the sanctions already in place against Sudan, and by authorizing the President to block the assets and deny the visas of those deemed to be responsible for the genocide. It has taken several months to come to agreement on a version of the bill that could move forward with bipartisan support. This bill is a better bill as a result of the discussions that took place, and I am happy to support it.

During committee consideration, I successfully offered an amendment to H.R. 3127 that states that the genocide taking place in Darfur is the result of acts of terrorism, and calls on the Secretary of State to designate the Government of Sudan-supported janjaweed as a foreign terrorist organization. It also calls on the Secretary to maintain Sudan's designation as a State Sponsor of Terrorism. I am grateful to my colleagues on the Subcommittee, and to Chairman Hyde and Ranking Member Lantos, for their support of my amendment.

Mr. Speaker, H.R. 3127 is a good bill but our effort cannot end here. By passing this legislation, we send a clear signal to the Government of Sudan, and the janjaweed, that the United States remains absolutely committed to seeing an end to the violence and genocide taking place in Darfur. However, while laws are important, they are merely words if not coupled with action—I urge the Administration to act further to stop this genocide. The people of Darfur deserve peace, and the Government of Sudan and the janjaweed militia deserve to be brought to justice and be held accountable for the crime of genocide.

PAYING TRIBUTE TO FORMER CONGRESSMAN DAN SCHAEFER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the life of former Congressman Dan Schaefer, who succumbed to cancer on Tuesday, April 18, 2006.

Former Republican Representative Dan Schaefer served as the Congressman from

the 6th District of Colorado for 14 years until he retired in 1998. Congressman Schaefer served on the House Commerce Committee, while he was Chairman of the Energy and Power Subcommittee, and was the senior member of the Colorado congressional delegation when he retired. His long and distinguished political career began when he was elected to the state House of Representatives in 1977, then the state Senate in 1979 before running for Congress in 1983.

Among the many causes he championed were mass-transit projects and the southwest light-rail line, and while in the Colorado State Legislature Schaefer sponsored several child protection laws. In Congress, he also helped found the House Renewable Energy and Energy Efficiency Caucus and for his efforts the main building at the National Renewable Energy Laboratory in Golden, was named in his honor. Schaefer was a major proponent of plans to deregulate the electric power, industry and to open it to competition. He fought for the cleanup of the decommissioned nuclear weapons plant at Rocky Flats, pushed for spending cuts, and worked on telecommunications issues.

Mr. Speaker, I am proud to honor the life and legacy of former Congressman Dan Schaefer who served in the House of Representatives with honor and integrity. His death is a profound loss to the community and to the causes he most admirably championed.

HONORING ELIZABETH QUINTERO

TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. LANTOS. Mr. Speaker, I rise today to honor a remarkable young woman and one of my constituents, Elizabeth Quintero of Redwood City.

Elizabeth was recently selected as the California's Boys and Girls Club Youth of the Year. She was chosen from among three-dozen competitors for the title because of her intelligence, positive attitude and perseverance. Elizabeth is even more extraordinary because of the battles she has won in her personal life.

Mr. Speaker, in the last five years Elizabeth has experienced more tragedy and stress than most seventeen year olds. Her father has had to endure a tragic and debilitating health diagnosis, her home was robbed and then completely destroyed by an unfortunate fire. In addition to these challenges, Elizabeth also struggled with a strong case of social anxiety that prevented her from participating in school and in her community.

Mr. Speaker, we honor Elizabeth today for the courage and optimism she showed in the face of adversity. After accompanying a friend to the local Boys and Girls Club of the Peninsula she began to fight her social anxiety. This once shy girl became an active member of the Keystone Club where she attended workshops on leadership skills and public speaking. She volunteered for Community Service and Academic Programs, while excelling at school and emerging as a leader among her friends and classmates.

Elizabeth received the Youth of the Year award honoring her outstanding contributions to the community but also overcoming personal obstacles.

Elizabeth continues to challenge herself and her friends and neighbors. On the day she was named Youth of the Year she also learned she had been accepted for admission to the University of San Francisco. This summer she will advance to the Regional Youth of the Year competition, and then to Washington, D.C. to compete for the title of National Youth of the Year, an honor that includes a $15,000 college scholarship presented by President George W. Bush.

Mr. Speaker, I urge all my colleagues to join me in congratulating Elizabeth on this distinguished award and her promising future.

CELEBRATING THE LIFE OF REV. WILLIAM SLOANE COFFIN, JR.

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. RANGEL. Mr. Speaker, I rise in celebration of the life of an American patriot, the Reverend William Sloane Coffin Jr. As a prophetic mouthpiece for God, Reverend Coffin spoke truth to power. He trumpeted the call to America to live up to its moral ideals by remembering the plight of the poor and oppressed at home and abroad. Reverend Coffin was a peace maker around the world, encouraging America and nations alike to pursue peace over war; ''Blessed are the peacemakers, for they will be called children of God.''

Reverend Coffin fought for civil rights and was a staunch opponent of the Vietnam war in the 1960's. In Montgomery he was arrested in protest of segregation in the South; he was a disciple and advocate of civil disobedience. He believed civil disobedience could bring social and political change in the world pervaded with inequality and injustice. As an ordained Presbyterian minister he adhered to a strong sense of call to social activism. He was in the early 60s the senior minister at the historic Riverside Church in my congressional district.

His ministry focused on a variety of social and moral issues facing humanity. He drew attention to the plight of the poor, political and military power, nuclear disarmament and interfaith understanding. Reverend Coffin exemplified tremendous courage in standing up for what he believed was just and fair. He would often say that ''courage is the first virtue, because ''it makes all other virtues possible.'' Reverend Coffin was indeed courageous in his fight against genocide in certain parts of the world, particularly in Bosnia.

''Every minister is given two roles, the priestly and the prophetic.'' He would often remind his interviewers of this theological claim to help America and the world understand why a minister was concerned with social-political affairs. In the tumultuous years of the Vietnam war he was outspoken in opposition to the war along side another prominent minister, Dr. Martin Luther King, Jr. He led major demonstrations in protest concerning the grave injustice and moral wrongness of the Vietnam war which garnered him international recognition. His prophetic role mandated Reverend Coffin to challenge the status quo on an international level.

In addition to serving as a senior minister, Reverend Coffin also assumed the chaplaincy post at Yale University. At Yale, during the Vietnam war, he counseled and encouraged students to protest the draft by returning their draft cards to the Justice Department. He infuriated the Johnson administration but he stood courageous and firm. Students at Yale respected him for his genuine and sincere approach to ministry and were urged to become sensitive to social struggle around the world by championing the cause of justice and peace. He remained at Yale until 1976, when he began to work on world hunger programs.

Mr. Speaker, as we celebrate the life of Rev. William Sloane Coffin, his life reminds America that the voice of dissent is patriotism at its best. When he engaged in debate about American social policies and practices he would often characterize them as a partner engaged in a lovers' quarrel.

COMMEMORATING EARTH DAY 2006

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CARDIN. Mr. Speaker, I rise today to commemorate Earth Day 2006, which was celebrated last Saturday, April 22.

Earth Day was established in 1970 by Senator Gaylord Nelson of Wisconsin, who firmly believed that education was the key to changing public attitudes about the environment. Since then, Earth Day celebrations have spread throughout America and to the rest of the world, with more and more people getting involved in efforts to clean and nurture the environment.

Despite Earth Day's popularity and the many programs that were created to improve the planet's health, our world is still wrought with environmental problems. We still face many pressing issues, such as protecting coastal waters from offshore drilling, preserving the Alaskan Tongass Rainforest, the Redrock lands in Utah, and resources in the Rockies.

Closer to home, we must continue to focus our efforts on restoring the Chesapeake Bay. The Bush Administration's budget proposes drastic cuts to vital initiatives, including the Chesapeake Bay Targeted Watershed Grants Program, the EPA's Chesapeake Bay Program Office, and several Farm Bill Conservation programs that help farmers reduce nutrient runoff entering the Bay. Last year, I was pleased to participate in the Living Shoreline Grants program, which involved growing seagrasses in my office that I later planted in Annapolis' Back Creek. I am also pleased to be an original cosponsor of the Chesapeake Bay Restoration Enhancement Act, which will reauthorize the Chesapeake Bay Program and implement new water quality standards for the Bay's tributaries.

I have long supported a comprehensive, long-term, more environment-friendly energy policy that places emphasis on increasing the availability and use of renewable energy, as well as promoting greater energy efficiency that new technologies can provide. The United States needs to utilize new technologies that focus on renewable energy sources to reduce the nation's dependency on foreign oil and high gasoline prices.

Earth Day celebrations serve as important reminders that we cannot take America's natural resources for granted. I urge my colleagues to join with me in doing our part to preserve, protect, and restore our planet's natural treasures.

HONORING WILLA LIVINGSTON CARSON

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the life and legacy of a true community leader, Willa Carson, who passed away on April 14, 2006, at age 80.

Willa was born in St. Petersburg, Florida, and moved to New York City after marrying Ernest Carson. While in New York, Willa earned her practical nursing license and worked for years in the health care industry. In 1972, Willa returned to Florida, retiring in Clearwater with her husband. However, Willa always needed to help others and was unfulfilled with retirement, so she undertook a second career teaching her passion for nursing to others.

Willa is best known for founding the Greenwood Community Health Resources Center, which she established in 1995. In the beginning, Greenwood operated out of two apartments. Today, this tremendous facility provides free treatment for nearly 600 individuals monthly who have no insurance and little money to afford health care costs. This is especially impressive because the Center only is open three days a week and all the doctors and nurses volunteer their time and expertise. While I am very familiar with the generosity of our nation's health care professionals, I know that this Center would not have been so successful without Willa's tireless efforts to help the poorest in our society.

Last month, the Greenwood Community Health Resources Center was appropriately renamed after Willa Carson. However, this was a tribute Willa did not want or welcome. Humbly, she wanted the Center to be about helping others, not personal glorification.

Willa does not need the Health Resources Center to be renamed after her for her impact on this community to be realized. Her generosity will be reflected on the faces of the countless people that she has helped. I hope her family will take solace in knowing that, in heaven, Willa's loving arms will be able to reach much further than Clearwater, Florida.

Mr. Speaker, our community truly is better off because of Mrs. Carson's contributions. Her leadership, life and legacy are truly an inspiration to everyone. I'm honored to have known her and to have called her a friend. May her memory be eternal!

100TH ANNIVERSARY OF AMERICAN BUSINESS MEDIA

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mrs. MALONEY. Mr. Speaker, I rise today to acknowledge American Business Media, ABM, located in my congressional district, as it celebrates 100 years of service to business media and the American economy. ABM is the not-for-profit, global association for business information providers, including producers of magazines, Web sites and digital content, trade shows, newsletters, rich data, custom publishers, as well as conventions, conferences, seminars, trade shows. ABM's 300 member companies represent about $20 billion in annual revenues and include such respected brands as Dow Jones, Forbes.com, The Economist, Farm Journal, Google, PC World, plus about 5,000 additional print and electronic titles, and 1,000 trade shows. Its mission is to help business information providers excel at their tasks and provide the best intelligence available to their readers—the captains of industry.

Established in 1906, ABM has a staff of specialists in governmental affairs, marketing, communications, promotion, education and finance. More than 20 active ABM member committees regularly assess developments in the industry and formulate the Association's positions on key issues. ABM hosts prestigious editorial and creative excellence awards programs, and initiates events that are focused on enhancing the knowledge of and providing services to members and the industry. ABM offers a first-rate opportunity for networking and creative peer interchange at these meetings, and brings together thousands of the best minds in business information each year.

I congratulate American Business Media on this momentous occasion and wish it continued success.

TRIBUTE TO WILLIAM MACLAUGHLIN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. HIGGINS. Mr. Speaker, I rise today to honor William MacLaughlin of Jamestown, NY, for his many years of dedicated public service to the City of Jamestown.

William MacLaughlin is a graduate of Empire State College with a Bachelors degree in Criminal Justice and a graduate of St. Bonaventure University where he received his Masters in Education; he was hired in 1972 as a Jamestown Police Officer.

During his time as a police officer, he served on the SWAT team, eventually becoming commander of the SWAT team in 1985. He has also served as a member of the bomb squad and a member of the color guard. Officer MacLaughlin rose through the ranks and was appointed Chief of Police for the City of Jamestown in 1995 by Mayor Richard Kimball, Jr., and was later appointed as the Director of Public Safety by Mayor Sam Teresi in 2000.

Officer MacLaughlin has received several departmental and community awards including the American Legion, Department of New York, Police Officer of the Year Award, Sons of the American Revolution, Medal for Heroism as well as the Medal of Valor. He is involved in several professional organizations as well as being very active in his community.

Officer MacLaughlin retired as Chief of Police on January 7, 2006. His dedication and excellence in public service to the Jamestown community will be missed. That is why, Mr. Speaker, I rise to honor him today.

RECOGNIZING THE 20TH ANNIVERSARY OF THE HARLEM CONGREGATIONS FOR COMMUNITY IMPROVEMENT, INC.—FAITH AT WORK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. RANGEL. Mr. Speaker, I rise today, on the eve of the twentieth anniversary of the Harlem Congregations for Community Improvement (HCCI) to enter into the CONGRESSIONAL RECORD a perspective that recognizes the many achievements and accomplishments attributed to the HCCI.

Since 1986, the Harlem Congregations for Community Improvement (HCCI) has been devoted to bringing about positive change to the Harlem community as its coalition of churches remain vigilant in their efforts to revitalize the spirit of Harlem by continuing to work to improve conditions in the community.

The HCCI initiative started with a consortium of 16 ministers and has grown to a membership of nearly 100 churches. Their organization has constructed over 2,000 units of affordable housing, provided job development and training and established support groups to reinforce and assist with services to the community.

I have lived in Harlem my entire life and can attest to the success of the many initiatives undertaken by the HCCI. I have witnessed the collective conception of ideas that grew into plans that resulted in major improvements to the lives of the people of Harlem.

Mr. Speaker, I am extremely proud of the achievements of the HCCI and I respectfully enter into the CONGRESSIONAL RECORD this perspective which serves to recognize the HCCI's noteworthy accomplishments as we approach the organizations' twentieth anniversary.

THE HARLEM CONGREGATIONS FOR COMMUNITY IMPROVEMENT, INC.: FAITH AT WORK

For the past two decades, the Harlem Congregations for Community Improvement (HCCI) has quietly, yet methodically, changed the physical landscape and the spiritual soul of the people of the Harlem community. HCCI was founded in 1986 as a consortium of 16 Harlem churches, whose pastors and congregants had long endured the surrounding urban decay. HCCI's first President was the late Bishop Preston R. Washington, Sr. The organization grew to an organization of more than 90 churches, mosques and a synagogue.

The organization began with a grassroots planning and organizing initiative. Harlem area churches raised $100,000 which was matched by the Trinity Episcopal Church on Wall Street. A plan for the Bradhurst community was developed by working with the Harlem Urban Development Corporation, Columbia University's Urban Technical Assistance Project and the City College Architecture Center. That plan was eventually adopted by the City of New York as the Bradhurst Urban Renewal Area Plan. The Bradhurst area had such a high level of deterioration that the blight seemed almost incurable, with rampant crime, drug addiction, abnormally short life expectancy, high infant mortality rates, population exodus, HIV/AIDS,

an unemployment rate that outstripped the national average, poor schools with alarming dropout rates, and no decent or affordable housing. The first grants to address the Bradhurst area were received from Local Initiative Support Corporation and leveraged donations raised through special church collections. The organization used the Industrial Areas Foundation method of developing an organization. Since then, HCCI's community service has been reversing these conditions concurrently, block by block.

From welfare-to-work training and placement, to adult basic education and GED prep (in collaboration with Literacy Partners), HCCI has helped hundreds of Harlem residents prepare for the workforce through its Office of Human Capital Development and trains still others to become licensed family childcare providers. Other job readiness services include computer training at HCCI's Career and Technology Center, and collaborations with Literacy Partners. The Intel Computer Clubhouse trained neighborhood kids in web design so well that they won a grant to create a Web site on the negative effects of tobacco. The city's building trade industry has welcomed graduates of the Construction Trades Academy where students learn valuable skills in construction work, including handling hazardous materials such as asbestos abatement and lead paint control.

HCCI's customer service training program proved valuable for residents who were hired at the new Pathmark Supermarket at 145th Street and Frederick Douglass Boulevard. Part of a $42 million real estate initiative, HCCI's Office of Real Estate Development broke ground on the market and a 126-unit co-operative apartment complex in the heart of the Bradhurst neighborhood. Indeed, quality affordable housing has been the centerpiece of HCCI's services to the community from the very beginning. To date, approximately 2,000 units of affordable housing have been built through innovative cross sector collaborations with city and State elected officials, the NYC Housing Development Corporation, the Department of Housing Preservation and Development, a host of banking institutions that include JPMorganChase, Citicorp, Roslyn Savings, the Bank of New York, Bank of America, Wachovia and Washington Mutual. Embarking on the Equitable Development initiative, JP Morgan Chase's Community Development competition awarded the $25,000 top prize to three New School University graduate students to create an architectural design that would transform the Erbograph Building on 146th Street into a new community facility space for some of HCCI's offices and housing for the elderly.

One of the more damaging health care crises of the twentieth century has been the AIDS epidemic. Communities of color have been the hardest hit. African-American men and women are nine times more likely to die from the disease than white AIDS patients. In 2004, Central Harlem recorded 218 newly diagnosed cases of HIV/AIDS. HCCI began to educate Harlem residents about HIV/AIDS and other diseases, and more recently created a pilot program called the Community Organizations and Congregations for Health institute (COACH), offering technical assistance to five faith-based institutions to help them start nonprofits to sustain their HIV prevention services. For the past seven years, HCCI has hosted the Balm in Gilead/Annual Black Church Week of Prayer for the Healing of AIDS. HCCI increases awareness through street education and outreach, presentations and workshops, and their growing Health Resource Library. HCCI's scattersite housing initiative has proved effective in housing HIV/AIDS patients, many of whom were homeless. Food stamp access programs and other services funded by the city's Human Resources Administration have helped restore them to more productive lives.

The question is always asked whether the church can be an agent for change if it is facing all of the previously mentioned challenges. It is an uphill battle to be sure. But HCCI's 100-church membership has proven that with God's help it can be done.

THE APPOINTMENT OF EVE J. HIGGINBOTHAM, M.D. AS DEAN OF THE MOREHOUSE SCHOOL OF MEDICINE

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CARDIN. Mr. Speaker, I rise today to congratulate Dr. Eve J. Higginbotham on her appointment as the new Dean and Senior Vice President for Academic Affairs at the Morehouse School of Medicine. Dr. Higginbotham has long been a valued member of my Health Advisory Committee, where she has demonstrated remarkable leadership abilities.

Dr. Higginbotham received her S.B. and S.M. degrees from the Massachusetts Institute of Technology and her M.D. from the Harvard Medical School. In 1994, Dr. Higginbotham was appointed as Chair of the Ophthalmology and Visual Sciences Department at the University of Maryland School of Medicine, becoming the first woman in the United States to head a university-based ophthalmology department. Previously, she served on the University of Illinois faculty as Chief of the Glaucoma Clinic and an Associate Professor and Assistant Dean for Faculty Affairs at the University of Michigan.

Dr. Higginbotham has also served on numerous boards, including those of the American Academy of Ophthalmology and the Helen Keller Foundation. Her strong commitment to improving health care is evident from her work with the Friends of the Congressional Glaucoma Caucus Foundation, where as Director of Outreach Services she established a program through which medical students screen patients in their communities for glaucoma. The program, Student Sight Savers, has been a great success and is currently in operation at more than thirty medical schools nationwide.

Throughout her career, Dr. Higginbotham has received numerous awards and honors, including the AAMC Humanism in Medicine Award in 2004. She has received the Suzanne Veroneaux-Troutman Award and the Roman Barnes Achievement Award. She has consistently been listed among the Best Doctors in Baltimore and America for over a decade.

The Morehouse School of Medicine (MSM) is an historically black institution established to recruit and train physicians, scientists, and public health professionals committed to primary health care. Founded in 1975, the Morehouse School of Medicine admitted its first class in 1978, became an independent, four-year medical school in 1981, and was fully accredited in 1985. Since its founding, it has graduated 602 physicians, 68 percent of whom are primary care practitioners and 84 percent of whom practice in economically depressed areas. I am confident that Dr. Higginbotham will help continue and further shape the legacy of the Morehouse School of Medicine as it works to fulfill the needs of America's under served communities.

Mr. Speaker, Dr. Higginbotham is both a renowned expert in her field and an outstanding public servant. I urge my colleagues in the U.S. House of Representatives to congratulate Dr. Eve J. Higginbotham on her new role as Dean and Senior Vice President for Academic Affairs. This week, Maryland's loss is Atlanta's gain, and I wish to stand with the many Marylanders who are grateful to Dr. Higginbotham for her tremendous service to our community.

HONORING PVT. JODY MISSILDINE

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the life and legacy of a true American hero, Pvt. Jody Missildine. Tragically, on April 8, 2006, Jody was killed while serving in Tal Afar, Iraq. He was 19 years old.

Jody's dream was to see the world and one day go to college. However, he selflessly did not want to burden his grandparents, Shirley and Melvin, with the financial responsibility that comes with world travel and a four-year degree. He saw the Armed Forces as the best way to achieve his goals, and most importantly, on his own terms. So while still attending high school, Jody signed up for the Army and immediately following his graduation, he left his home in Plant City, Florida, to begin his service to our nation.

Soon Jody's division was deployed to Iraq and despite being several thousand miles away from each other, Jody did his best to stay close to the family he loved so dearly, calling home nearly every week. Always concerned for the well-being of others, Jody rarely spoke about the daily events in Iraq, but rather, he focused his attention on the safety of his family. On Friday, April 7, Jody expressed concerns about Iraq to his grandmother, or Nanna as he called her, during their telephone conversation. Sadly, the next day while on patrol in the northern Iraqi city of Tal Afar, an explosive device detonated near his convoy and killed Jody.

Jody embodied everything that this great country stands for: integrity, hard work, determination, and compassion. He always put others ahead of himself and I am honored to know that this fine young man helped ensure America's continuing independence and security.

Mr. Speaker, as we have seen throughout the history of this nation, freedom is not free; it comes with a heavy price. The sacrifices of brave men and women like Jody have guaranteed this country's continuing liberty. And just as Jody did all he could to protect his family while he was alive, I know he is watching over them from heaven.

I know words can not help fill the emptiness that the Missildine family feels from the loss of Jody. However, I hope they take solace in knowing that our nation is truly stronger and greater for having a man of Jody's character serve it.

May God bless the Missildine family and may He continue to watch over the United States of America.

INTRODUCTION OF THE ''AFGHAN WOMEN EMPOWERMENT ACT OF 2006''

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mrs. MALONEY. Mr. Speaker, today, I introduce the ''Afghan Women Empowerment Act of 2006'' which would authorize $45 million each year from FY2007 through FY2009 for programs in Afghanistan that benefit ''women and girls as well as the Afghan Independent Human Rights Commission and the Afghan Ministry of Women's Affairs. The funding would be directed toward important needs including medical care, education, vocational training, protection from violence, legal assistance, and civil participation. This legislation was introduced earlier this year in the Senate by Senator BARBARA BOXER (D–CA).

Women's rights in Afghanistan have fluctuated greatly over the years. Women have bravely fought the forces of extremism at various points in the country's turbulent history. At one time, women were scientists and university professors. They led corporations and nonprofit organizations in local communities.

While the Afghan constitution guarantees equality for Afghan women, throughout Afghanistan, women continue to face intimidation, discrimination, and violence. The United States has an obligation to ensure that women and girls have the opportunities that they were denied under the Taliban and that the gains that have been made are not lost in the coming months and years. It is imperative that we provide the support needed to ensure that the rights of women are protected in the new Afghanistan.

TRIBUTE TO NANCY GADEN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. HIGGINS. Mr. Speaker, I rise today to honor Nancy Gaden, a resident of Chautauqua County and the City of Jamestown for the honor of the Team Spirit Award.

Ms. Gaden is a very active member of the Chautauqua County Retired and Senior Volunteer Program (RSVP). She was selected for this award because of her outstanding volunteer work and amazing spirit.

Nancy is best known for her musical abilities. She can always be found brightening the lives of people by way of her innovative approach to music. Wherever Nancy goes to perform she brings rhythmic instruments and passes them out to everyone in the crowd. Regardless of a person's mental or physical state they receive an instrument and can always find a way to express themselves through it. Ms. Gaden is always an upbeat, motivated and cheerful person. She is an inspiration to everyone she meets. The outlet that she provides by way of music is so important because it allows everyone to participate and be part of the entertainment. She touches people's lives wherever she goes and her presence and music brighten everyone's day.

For all of her volunteer work and her willingness to touch the lives of others I commend her, and that is why Mr. Speaker I rise to honor her today.

CIVIL RIGHTS STRUGGLE FAR FROM OVER: NAACP REMAINS IN FOREFRONT, ALMOST A CENTURY AFTER ITS CREATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD an editorial from the April 11, 2006 New York CaribNews entitled ''Civil Rights Struggle Far From Over: NAACP Remains In Forefront, Almost A Century After Its Creation''; that praises the longevity and extreme effectiveness of the most influential civil rights organization in the United States known as the National Association for the Advancement of Colored People or the NAACP.

Since its inception the National Association for the Advancement of Colored People (NAACP) was poised for a long, tumultuous and rewarding history. Although it may be possible to chronicle the challenging and harrowing legacy of the NAACP, the real story of the Nation's most significant civil rights organization lies in the hearts and minds of the people who would not stand still while the rights of America's people of color were denied.

The history of the NAACP is one of blood, sweat and tears. From bold investigations of mob brutality, protests of mass murders, segregation and discrimination, to testimony before congressional committees on the vicious tactics used to bar African Americans from the ballot box, it was the talent and tenacity of the NAACP members that saved lives and changed many negative aspects of American society. While much of its history is chronicled in books, articles, pamphlets and magazines, the true movement lies in the faces—black, white, yellow, red, and brown—united to awaken the conscientiousness of a people, and a nation. This is the legacy of the NAACP.

Mr. Speaker, This article that I enter today reiterates the facts that the civil rights struggle is far from over as it proudly details from history a few of the organization's past successes. I am confident that such leaders as Bruce Gordon, President and Chief Executive Officer of the NAACP and Karen Boykin-Towns, President of the Brooklyn Chapter of the NAACP will continue to keep the legacy alive and also keep the NAACP in the forefront, as progress and accomplishments continue, for years to come.

[From the New York CaribNews Editorial, April 11, 2006]

CIVIL RIGHTS STRUGGLE FAR FROM OVER: NAACP REMAINS IN FOREFRONT, ALMOST A CENTURY AFTER ITS CREATION

It was a succinct and forceful reminder. And it came from a person who knows the issues and from an organization that has led the fight for respect for Black people's civil rights and political liberties. ''There is still a lot of civil rights work to be done,'' was the way Bruce Gordon, President and Chief Executive Officer of the National Association for the Advancement of Colored People, NAACP, put it in an interview with this newspaper. ''Many people believe the passing of Rosa Parks, Coretta Scott-King and other icons of the movement signals that the task is over,'' he added. ''Nothing could be further from the truth.'' Well said!

Anyone looking at the state of Black America, the lack of jobs in Black communities, limited access to adequate health care, a dire shortage of affordable housing, the intolerance of tens of millions of whites, the virulent strains of racism, the glaring attempts to cast young Black men as villains, the policy of cutting off much needed federal, state and local government assistance to families that need it the most and the poor schools that saturate our communities would readily endorse Gordon's marching orders, if you will.

The NAACP is in an excellent position to assess the needs and to address them. And they have earned our support.

Founded on February 12, 1909 by a multiracial group of activists, who answered the ''Call'' to action, the NAACP has been at the helm of the long struggle from that historic occasion. We expect it to continue its important work for at least another century.

Turn back some of the pages of history and the record of America's largest and oldest civil rights organization would become clear. A handful of examples, in:

1913 when President Woodrow Wilson officially sanctioned segregation in the federal government, a horrified NAACP launched a nationwide protest.

1915 the NAACP took to the streets and the barricades to condemn D.W. Griffith, the movie producer, for his ''inflammatory and bigoted silent film, ''Birth of a Nation,'' which today draws rave reviews from white critics for what they call his ''creativity'' while ignoring the bigoted nature of the film's content.

1922 In an unprecedented step, the NAACP placed large advertisements in many of the nation's major newspapers to focus national attention on the despicable and inhuman practice of lynching.

1935, NAACP lawyers Charles Houston and Thurgood Marshall battled successfully in the courts to have Black students admitted to the University of Maryland.

1939 When the Daughters of the American Revolution prevented world famous soprano, Marian Anderson, from performing at their Constitution Hall, the NAACP sprung into action. It moved the concert to the Lincoln Memorial and 75,000 persons attended.

1948, the organization led the fight that forced President Harry Truman to ban racial discrimination by the federal government, especially in the military.

1954, the NAACP won the landmark case before the Supreme Court that forced an end to segregation in public schools. Brown vs. Board of Education stands today as a battering ram against official segregation.

1965, Congress passed and President Lyndon Johnson signed into law the Voting Rights Act, which gave Blacks the unfettered right to participate in the electoral process as voters and candidates. The NAACP was a driving force behind its enactment.

1985, it led a massive anti-apartheid rally in New York that dramatized the plight of millions of Blacks in South Africa.

1997, the organization launched its ''Economic Reciprocity Program to fight against conservative efforts in Congress and the courts to end affirmative action.

2000, at the helm of a march by 50,000 persons to protest the flying of the confederate flag over state buildings. It was the largest civil rights demonstration ever held in the South. On and on we can cite chapter and verse about the successes and indeed the relevance of this noble institution whose effectiveness was demonstrated in almost every section of the country and in many nations in different parts of the world.

As the NAACP itself has pointed out, ''from the ballot box to the classroom the dedicated workers, organizers, and leaders who forged this great organization and maintain its status as a champion of social justice, fought long and hard to ensure that the voices of African-Americans would be heard.'' We couldn't have said it any better.

If the Association's history was built on the blood, sweat and tears of its members and supporters who believe in its vision then it has earned its place in our minds and hearts.

Gordon is coming to New York to hail the resuscitation of the Brooklyn Branch, a development which comes a few years before the centennial anniversary of the NAACP itself and which sends a strong and positive signal to people around the country that the organization is vigorous and its future is secure.

We extend our congratulations to Gordon and to the officers and members of the Brooklyn branch that's led by Karen Boykin-Towns.

TRIBUTE TO AMERICA'S WORKING MEN AND WOMEN

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CARDIN. Mr. Speaker, I rise today to pay special tribute to America's working men and women. These are the mineworkers, firefighters, nurses, janitors, postal employees, and hundreds of other workers who often are exposed to serious injury or even death while on the job. Friday, April 28, is Workers Memorial Day, a time when we remember the thousands of Americans who have been killed or injured while doing their jobs.

I also want my colleagues in the U.S. House of Representatives to join me today in taking a moment to remember Jeffrey Wroten, a Maryland Division of Correction's officer who was killed in January while guarding a hospitalized patient.

This also has been a deadly year for coal miners. In January, 12 miners died during the Sago Mine tragedy, and, Nation Wide, 24 coal miners have lost their lives this year. For the first time since 1994, there has been an increase in workplace fatalities. In 2005, more than 5,700 workers were killed on the job and more than 50,000 Americans died from occupational diseases.

We pledge to them that we will rededicate our efforts to fight for safe working conditions; we pledge to them that we will fight for decent wages; and we pledge to them that we will make sure they have good pensions and health care benefits.

I also want to commend the many unions throughout the Nation that work everyday to protect American workers. The best way to help ensure worker safety is to make sure workers have the freedom to join unions so they can fight for their rights.

I urge my colleagues in the House to join me in honoring America's working men and women by ensuring they have the rights and protections they need to stay safe on the job.

RECOGNIZING MS. KELLY SMITH AS MILKEN NATIONAL EDUCATOR AWARD RECIPIENT

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. RUPPERSBERGER. Mr. Speaker, it gives me great pleasure to rise today to recognize the outstanding achievements of an educator in Baltimore County. Ms. Kelly Smith, chair of the English Department at Dulaney High School in Timonium, MD, is the recipient of the prestigious 2005–06 Milken Educator Award.

The Milken National Educator Award was established by Lowell and Michael Milken. They created the award to celebrate and reward people in the education system showing exemplary work.

This award, acknowledged in Teacher Magazine as the ''Oscars of Teaching'' was designed to recognize people in the education system who have exceptional talent. Recipients play an instrumental role in developing new and inventive programs of study. These educators help to develop not just the curriculum, but also the students' confidence and self worth.

Dulaney's Kelly Smith has made great strides in the school's English Department. Her tremendous contributions have aided in the school's academic success. She developed ''One Book, One Dulaney,'' a book club, in which students, teachers and parents participate. Throughout the year the club chooses a book to read and later discusses it, opening the lines of communication on all levels.

Ms. Smith also developed and co-chaired Students Organized for Academic Success. SOAR gives assistance to challenged students showing potential for scholastic achievement. She holds study sessions on Saturdays to prepare aspiring college students for the college entrance exam, the SATs.

Under Ms. Smith's leadership, test scores have greatly increased. She implements critical reading, thinking and vocabulary in her classroom. She also incorporates a ''Readers' Theatre Project'' giving students an opportunity to learn about literature through performance, writing and acting. This creates a new dimension of learning for students. They become a part of the process, which is both fun and educational.

I believe education is the key to success. Today's youth are the future of this country. People like Ms. Smith are shaping the leaders of tomorrow. I applaud all of those who devote their lives to the betterment of the education system.

Mr. Speaker, I ask that you join with me today to commend Ms. Kelly Smith for winning the 2005–06 Milken Educator Award. She is truly an inspiration.

EIGHTY YEARS OF RAZZLE-DAZZLE

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. OXLEY. Mr. Speaker, a son of Massachusetts celebrated his 80th birthday in March. Bob Crane, who won 11 statewide elections and held elective office for 34 years, is being feted by friends and family for a lifetime of public service and his unbeatable joy of life and politics.

Bob began his service to his country over 60 years ago when he enlisted in the Marine Corps at age 18 during World War II. Bob is a decorated war hero and fought in the bloodiest battle of World War II in Okinawa. This son of Irish immigrants returned after the war to Boston where he attended Boston College, married his lovely Mary, had five great children and began a memorable career in politics.

First elected to the state legislature, Bob served an unprecedented 26 years as State Treasurer. Bob left office in 1991 but, as is often the case with extraordinary people, the best was yet to come. Bob entered the business world to become the CEO of the Nation's largest food brokerage firm, but continued his lifelong habit of being a volunteer entertainer at homes for the elderly, children and the needy in the Boston area with his wonderful group, the Treasury Notes. Some of his most ardent admirers are people who no longer see the caring hand of friendship and support in their lives.

Bob Crane has been called an equal opportunity schmoozer and is known as a bipartisan charmer. He answers his critics with a warm grin and a confidence that any negatives directed at him will bounce off like water on the back of the ducks in the Boston Common. He has won the admiration of both Republicans and Democrats at the State and national levels and his fans include this Ohioan who has joined him in singing the Findlay Ohio classic, ''Down by the Old Mill Stream'' to the delight of various political crowds.

A Boston Globe columnist once wrote,

> Crane is a full-plumage specimen of an endangered species: the warm-blooded, pre-Watergate politician who attends wakes, sings with a robust Irish tenor at weddings and nursing homes, and charms even his enemies with generosity and a smile as big as the Ritz.

Although Bob Crane is a Democrat and I am a Republican, and he loves the Red Sox while I am a Tiger fan, we share a mutual pleasure in golf; I agree with Mike Barnicle, the well-known columnist who wrote that Bob is one politician ''who can still smile, who still thinks that politics means people, and one who takes his business but not himself that seriously.''

Bob has been called the ''Johnny Carson of Massachusetts politics,'' and having seen how he wins over even his toughest critics, I have to agree. Happy Birthday, Bob. Here's to 80 more years of razzle-dazzle.

FREEDOM FOR OSCAR MARIO GONZÁLEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to remind my colleagues about Oscar Mario González, a political prisoner in totalitarian Cuba.

Mr. González is an independent journalist and pro-democracy activist in totalitarian

Cuba. His peaceful, pro-democracy activities and truthful articles have helped the world to learn the facts about the nightmare that is the Castro regime. Unfortunately, the dictatorship forcefully represses those who bravely support freedom and rise in resistance to the despotic regime.

According to Reporters Without Borders, on March 24, 2005, Mr. González was summoned and questioned by regime agents, who threatened that he would not be able to see his family again if he continued practicing as an independent journalist. Despite these gangster tactics and heinous threats, Mr. González continued to demand basic human rights for the people of Cuba.

As part of the tyrant's heinous July 2005 crackdown on peaceful pro-democracy opponents, on July 22, Mr. González was arrested as he tried to participate in a peaceful demonstration outside the French Embassy in Havana, demanding the release of political prisoners in Cuba. As part of this vicious crackdown, over 30 brave opponents were arrested at home, on their way to the demonstration or on the sidelines of the gathering.

According to CubaNet, Mr. González has been charged with violating Law 88. This is the same brutal, sham law that the tyrannical regime used to wrongly convict many of the pro-democracy activists arrested in March 2003. According to Reporters Without Borders, Mr. Gonzalez is still awaiting trial for supposed "crimes."

On April 26, 2006, The Miami Herald published the following moving letter from Mr. González to his daughter:

In all the years that I have been by your side, you have never known me to pose a threat to anyone or anything, yet today I am writing to you from prison.

Neither one of us, in writing to each other for so many years, ever imagined we be doing it from a prison cell.

Such is life around these parts! Anything and everything can happen in this green island that so few really know about, weaving instead fantasies fed by the Cuban government's propaganda.

The reasons for my imprisonment would be incomprehensible to anyone living in the society you live in, but they are totally understandable to a Cuban.

I had the temerity to criticize and question the government of my country and to denounce its totalitarian character before the world. I did it in the only way I know, peacefully, with words.

For that, the Cuban government classifies us as criminals and calls us mercenaries and agents of U.S. imperialism. I swear to you that I have never had so much as a private conversation with any official of the United States or of any other country, for that matter.

Also, the only monies I have been paid from the only press agency for which I have ever worked, Cubanet, scarcely cover my few material needs.

The real reason for my confinement is to have denounced my country's government to a Cuban press agency in Miami, since the news media inside Cuba are closed to those, who like myself, exhibit independent criteria. Cuban media are only open to sycophants and apologists for the regime.

My conscience impels me to expose the abuses to which Cubans have been subject for more than 47 years now.

I never thought my modest contribution to the future of Cuba would go very far.

I'm a simple citizen who tried to make public the brutal nature of the Cuban government, thinking that would be my small contribution to the future of Cuba.

How was I to know my humble purpose would land me in prison at age 62 and in poor health?

My love for my country, for liberty and democracy, are the real causes for my imprisonment.

If some day you hear me say something that contradicts what I have said so far here, know that it is not your father speaking. It would be another man, reduced, drugged or in the throes of fear, and obligated to say whatever they wanted him to say under pressure of threats and blackmail.

I hope some day we can see each other again in our country, with liberty to walk down the street holding hands and looking to the future, without fear or hate.

Teach my grandson, next to the love of God and neighbor, the devotion to human rights and liberty so that he will never put up with injustice and abuses.

May God bless you, and may He allow me to kiss you soon.

Mr. González is a brilliant example of the heroism of the Cuban people. His letter exemplifies the Cuban desire to live in liberty, free of the tyrannical repression imposed on them by the murderous despot. Read the strength of this letter, Mr. González knows the violence, abuse, and repression that will be used to try to break him. Yet he stands strong in the strength of his conviction: "My conscience impels me to expose the abuses to which Cubans have been subject for more than 47 years now." Mr. González is an apostle of freedom for Cuba.

Despite incessant repression, harassment, incarceration and abuse, he remains committed to the conviction that freedom of the press and individual liberty are the inalienable right of the Cuban people. It is a crime against humanity that Castro's totalitarian gulags are full of men and women, like Mr. González, who represent the best of the Cuban nation.

Mr. Speaker, let me be very clear, Mr. González is languishing in the grotesque squalor of the gulag because he desires freedom for all Cubans. My Colleagues, read his letter often. We must demand the immediate and unconditional release of Oscar Mario González and every political prisoner in totalitarian Cuba.

INTRODUCTION OF THE JOURNEY THROUGH HOLLOWED GROUND NATIONAL HERITAGE AREA ACT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. WOLF. Mr. Speaker, today I am introducing legislation to create the Journey Through Hallowed Ground National Heritage Area. Senator ALLEN is introducing companion legislation in the Senate.

We remember the words of Abraham Lincoln in his Gettysburg Address:

We cannot dedicate—we cannot consecrate—we cannot hallow this ground. The brave men, living and dead, who struggled here, have hallowed it far above our poor power to add or detract.

The Journey Through Hallowed Ground winds its way along U.S. Route 15 from Gettysburg, Pennsylvania, to Jefferson's home of Monticello, in Charlottesville, Virginia. Starting as a trail used by the Susquehannock and Iroquois, America's early history can literally be traced along this corridor. Jefferson's Monticello, Madison's Montpellier, Monroe's Oak Hill and Ashlawn Highland, Zachary Taylor's homes, Eisenhower's Cottage, Teddy Roosevelt's Cabin, John Marshall's home, General George Marshall's home, and Camp David are situated along this route also dotted with numerous Civil War battlefields and sites from the underground railroad.

Designation of this historic route as a National Heritage Area will create a partnership between the Federal, State, and local governments as well as local civic organizations to commemorate, conserve and promote the history and resources along the Route 15 corridor between Gettysburg and Monticello. It will help link national parks to historical sites, package tourism opportunities, and provide financial and technical support for sites in the corridor.

This historic corridor includes a significant part of the 10th District of Virginia, which I am proud to represent. I echo the sentiments of author and historian David McCullough when he said that "[t]his is the ground of our Founding Fathers. These are the landscapes that speak volumes—small towns, churches, fields, mountains, creeks and rivers with names such as Bull Run and Rappahannock. They are the real thing, and what shame we will bring upon ourselves if we destroy them."

This bill is modeled after the legislation Senator WARNER and I introduced which created the Shenandoah Valley Battlefields National Historic District in the Shenandoah Valley in 1996, Through that legislation, the Civil War battlefield sites in the Valley are being preserved, As with that bill, local, State and Federal officials, working along with landowners and business leaders will be able to better promote the history of the Journey Through Hallowed Ground attracting tourism and an appreciation for the unique history of this area.

I would like to thank the Journey Through Hollowed Ground Partnership which has been working to forge partnerships that span the four States that fall within the proposed boundaries of the heritage area. This group has laid the groundwork in identifying the significant historical properties within such a concentrated area along U.S. Route 15. Dozens of towns and counties along the corridor have offered letters of support as have local civic groups. The Virginia General Assembly also has approved a resolution of support.

Thomas Jefferson in his Notes of the State of Virginia said:

You stand on a very high point of land. On your right comes up the Shenandoah, having ranged along the foot of the mountain a hundred miles to seek a vent. On your left approaches the Potomac, in quest of a passage also. In the moment of their junction, they rush together against the mountain, rend it asunder, and pass off to the sea. The first glance of this scene hurries our senses into the opinion that this earth has been created in time, that the mountains were formed first, that the rivers began to flow afterwards, that in this place, particularly, they have been dammed up by the Blue Ridge of mountains, and have formed an ocean which filed the whole valley; that continuing to rise they have at length broken over this spot, and have torn the mountains down from its summit to its base. The piles of rocks on each hand, but particularly on the Shenandoah, the evident marks of their

disrupture and avulsion from their beds by the most powerful agents of nature, corroborate the impression. But the distant finishing, which nature has given to the picture, is of a very different character. It is a true contrast to the foreground. It is as placid and delightful as that is wild and tremendous. For the mountain being cloven asunder, she presents to your eye, through the cleft, a small catch of smooth, blue horizon, at an infinite distance in the plain country, inviting you, as it were, from the riot and tumult roaring around, to pass through the breach and participate in the calm below.

The landscape Jefferson depicts has been inspirational to American leaders for hundreds of years. From Susquehannock Indian trading routes and to Revolutionary War battles; from the homes of the founding fathers to the first brave pioneers to make a home beyond the Blue Ridge Mountains; from the Civil War battles which threatened to divide the union to the underground railroad, our Nation was forged along this route. From Blue Ridge Mountains to the west and the fertile Piedmont to the east of the corridor the route in many ways exhibits the birth and development of our Nation's economy, social movements and political landscape. Perhaps even more significant than the battlefields that cluster along the route are the documents penned in the homes along the corridor. The Declaration of Independence, the Monroe Doctrine and the Marshall plan have influenced not only this Nation, but the entire world.

Every American citizen should take a trip along this route so that they know not only from where our Nation has come, but also to where we are going.

As we come upon the 400th anniversary of America's birthplace at Jamestown, I urge my colleagues to join with me in supporting this legislation.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA TAX INCENTIVES IMPROVEMENT ACT OF 2006

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. NORTON. Mr. Speaker, today I am pleased to introduce the District of Columbia Tax Incentives Improvement Act of 2006. The legislation builds on and adds to federal tax incentives I first got through Congress in 1997 in order to help produce residential and business stability and growth. These tax credits have surpassed the city's highest hopes with a renewed and replenished residential and business tax base to show for it. However, this bill is necessary if this growth is to continue to make up for the fact that the District is not a state.

Studies and investigation by experts widely agree that the D.C. credits have been very successful and have been the single most important factor both in stemming residential flight and in stimulating commercial development in the applicable neighborhoods. However the changes are appropriate to: reduce but target the credits to poor neighborhoods not yet reached; increase the efficiency of the incentives; achieve increased leverage from city and other federal resources; and provide more incentive to purchase homes given the large increase in housing prices in the District.

The legislation would extend the life of the D.C. Enterprise Zone (EZ) Benefits to 2009 to put the District on par with the other cities that have empowerment zones and will allow the city to fully realize and assess the effectiveness of the incentives and eliminate the continuing uncertainty that has plagued the program. There was a disruption of economic activity and planning by the business sector when Congress did not immediately renew those provisions that expired at the end of 2003. The District is experiencing this setback again as H.R. 4297, the Tax Reconciliation Act of 2005, has not yet been passed and the District tax provisions are extended in that bill.

The improved EZ incentives will target the areas of greatest need; align the Zone boundaries with areas designated for concentrated investment by the Mayor's Great Streets Initiative; and more effectively connect the unemployed with job opportunities by limiting the Employment Credit to those businesses that employ persons residing in those census tracts that have unemployment rates twice that of the national average.

The legislation also asks for a triple tax exemption for District bonds which would allow the District to issue bonds at lower interest rates and put D.C. on par with other "stateless" jurisdictions, including Puerto Rico, Guam and the Virgin Islands, with no loss of revenue to the federal treasury. Currently, bonds issued by the District are exempt from federal and District taxes, but subject to taxation by state and local governments for bondholders located outside the District.

With the first-time homebuyer tax credit, this bill raises the $5,000 credit for a first-time homebuyer in the District to $10,000 to help meet sharply increased home prices that are driving many lower middle and middle income taxpayers from the city. Senator TRENT LOTT raised the amount in the Senate bill several years ago, but that bill did not pass the House. The homebuyer credit and the economic development occurring in the District have been almost entirely responsible for significantly stemming taxpayer, residential and business flight, bringing both in significant numbers to the District. However, the improvements in my bill are essential if the District is to achieve the 100,000 new residents necessary to sustain its stability that the former D.C. control board said was necessary.

The federal tax incentives provided under the Enterprise Zone and homebuyer credit programs will be critical to the continuation of the District's essential fiscal partnership with the federal government, which seeks to diversify the D.C. economy, reverse the continuing rise in the unemployment rate in significant portions of the city, strengthen and diversify the District's narrow tax base, and address its structural fiscal imbalance.

The D.C. Enterprise Zone tax incentives and the homebuyer credit alone cannot solve these problems. But by extending and improving these measures, Congress can continue to make a low-cost, efficient and effective contribution to the District's economic well being.

COMMEMORATING THE 10TH ANNIVERSARY OF THE CIVILIAN DEATHS AT QANA, LEBANON

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. CONYERS. Mr. Speaker, the violent death of innocent civilians not involved in military hostilities is an appalling human tragedy. For decades, the violence in the Middle East has claimed a multitude of innocent civilian victims: Men, women and children, Arab and Israeli. It is with great sorrow that we remember one such incident that occurred just over ten years ago in Qana, Lebanon. A number of my constituents lost precious relatives on that day, April 18, 1996. Aboudi and Hati Bitar of Dearborn, Michigan, ages 7 and 9, were visiting their grandmother at Qana when they were killed. On the occasion of the tenth anniversary of the Qana incident, we solemnly remember and mourn the loss of these innocent children and the hundreds of others who were killed or wounded on that tragic day. On behalf of Michigan's 14th Congressional District, my family and I offer our support and prayers to the Bitar family and to the many others who lost loved ones at Qana.

When it comes to civilian deaths, violent hostilities play no favorites. I call on my colleagues to pause to remember the civilian victims that the violence in the Middle East has claimed on all sides. Let us remind ourselves that this carnage among the innocent will continue until America makes a stronger effort to help resolve the issues that have bred the violence there.

HONORING THE 60TH ANNIVERSARY OF THE POLISH AMERICAN WAR VETERANS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 60th Anniversary of the Polish American War Veterans located in Caseyville, Illinois.

The year 1946 saw our Nation's veterans return home from serving their country during World War II. During that year, a group of Polish American veterans in East St. Louis, Illinois gathered to form an organization that would recognize the contributions of Polish Americans during the war, celebrate their Polish heritage and assist veterans, their families and other organizations within their community.

The first discussions took place at Steve Mizulski's S.M. Tavern and the first organizational meeting was held at the Polish Hall in East St. Louis. Soon after this meeting, the Polish American War Veterans organization was chartered by the State of Illinois.

With the formation of the PAWV a slate of officers was installed. Stanley Gula was the first Commander and other officers were: Stanley Boryczko, Vice Commander, Joseph Skowron, Adjutant, Michael Bartosz, Quartermaster and Adam Wondolowski, Sergeant-At-Arms. Initial charter members were: Walter

Kloczak, Les Kloczak, Louis Skosky, Tony Wondolowski, Ted Skrabacz, John Babinski, Aloysius Szablowski, Edward Cich and Ed Wondolowski.

The Polish Hall was the home for the PAWV from its founding, into the 1960s. The American Legion Hall in Fairmont City, Illinois served as the PAWV home until 1979, when the permanent home was built in Caseyville, Illinois.

During their years of service, the organization has held a number of events to raise funds, celebrate their Polish heritage and to provide family and recreational opportunities in their community. These have included organizing teams for bowling and baseball leagues, holding dances and golf tournaments and participating in many parades. They continue to offer "care packages" to veterans who are hospitalized or in nursing homes.

In 1999, the PAWV formed an Honor Guard that performs at area events and provides full military honors for veterans' funerals. This unit has received many honors and commendations from area civic and veterans groups.

The Polish American War Veterans have been an active and involved part of our community for 60 years. The service they gave to their country did not stop when they retired from active military duty. They continue to live by the motto, "Still Serving and Proud to be Polish."

Mr. Speaker, I ask my colleagues to join me in honoring the 60th Anniversary of the Polish American War Veterans and to wish the best to them for continued service in the future.

HONORING UNIVERSITY OF WISCONSIN MEN'S HOCKEY TEAM

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. BALDWIN. Mr. Speaker I rise today to recognize the University of Wisconsin men's hockey team, NCAA champions for the sixth time in the program's history. This is the first national championship for the Badgers since 1990, and also the first under head coach Mike Eaves. Coach Eaves previously won a national title as a player when he was the Badgers' team captain in 1977, and also coached the United States teams to their first gold medals at the 2002 World Under-18 Championship and the 2004 World Junior Championship. Coach Eaves' latest honor is being named the head coach of the United States Men's National Team.

This championship caps off a remarkable season for the Badgers. Senior assistant captain defenseman Tom Gilbert tied for the national lead in goals by a defenseman, and scored the most points by a UW defenseman in almost ten years. Gilbert was named to the All-American second team, and was joined there by sophomore center Joe Pavelski. Pavelski led the team in scoring during the season, and also became just the ninth player in Badgers history to score 100 points in his first two years.

Junior goalie Brian Elliott was named a first-team All-American. Elliot led the nation in every significant category of goaltending statistic, including goals-against-average, save percentage, and winning percentage, en route to being named a finalist for the Hobey Baker Player of the Year award. He also recorded eight shutouts, including two in the NCAA Tournament's regional rounds, helping Elliot earn Most Outstanding Player honors for the Midwest Regional.

During the Frozen Four Championship in Milwaukee, it was Badgers' junior forward Robbie Earl who proved the Most Outstanding Player. Earl scored three goals combined in the semi-finals and finals, including the game-winning goal in the semi-final game and a tying goal in the final game.

After the Badger women's hockey team won their national championship two weeks before the men, several players joked that they had stolen for Wisconsin the title of the "State of Hockey" from Minnesota. After the men's team completed the NCAA hockey sweep for UW, Athletic Director Barry Alvarez put it more simply: "We own college hockey."

TO COMMEMORATE AND HONOR THE VICTIMS OF THE HOLOCAUST

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. HONDA. Mr. Speaker, I rise today to commemorate the memory of those murdered during the Holocaust.

During that dark period, the nations of the world stood still as millions were massacred. Every year we come together and speak of how we shall "Never Forget." We talk of how we may honor their memory by never allowing such unspeakable crimes of genocide to be committed once again.

I fear we may not be doing their memory justice. Even as the United States has officially declared that genocide is occurring in Sudan, we stand concerned, but need to do much more to stop the bloodshed. Have we not learned from the horrors committed by Nazi Germany? How can we observe the rampant campaign of rape and genocide in Darfur without acting?

My heart and prayers go out to those who survived the Holocaust as well as those who were coldly murdered. We must honor them not just with words, but also by our actions. Over the next few days, hundreds of thousands of Americans will converge on Washington to demand that the US act to stop the genocide in Darfur. Let us honor the memory of those who were murdered during the Holocaust by doing everything we can to protect the people of Darfur.

RECOGNITION OF AFRICA MALARIA DAY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PAYNE. Mr. Speaker, I stand today to recognize Africa Malaria Day, declared on April 25, 2000 by 43 African heads of state. That declaration marked the end of a 3-day summit called to renew and re-invigorate Africa's commitment to defeating malaria, a disease that takes a terrible toll on the African continent. It renewed a commitment to exploit all means possible to finally tame the disease that kills more African children than any other single disease. It recognized the massive impact of malaria and the potential for reducing that impact. It affirmed African leaders' intent to remove roadblocks to malaria control and called for more active participation by the international community.

UNICEF and the World Health Organization estimate that malaria kills from 1 million to 2 million people every year, most of them young children and pregnant women in Africa. Along with HIV/AIDS and tuberculosis, malaria remains one of the three biggest infectious disease killers in the world today.

Effective weapons in this fight include prompt access to effective treatment, increased use of locally appropriate means of mosquito control such as insecticide-treated nets and indoor residual spraying, early detection of and response to epidemics, and improved prevention and treatment of malaria in pregnant women. To make a sustained impact against malaria we need a vaccine.

There has never been a licensed malaria vaccine, but great progress toward that end is now being made, as evidenced by last year's results of a malaria vaccine clinical trial in Mozambique. However, people who need the vaccine the most are infants and children in developing countries. This means that market forces by themselves cannot drive malaria vaccine development. Ensuring the successful development of a vaccine for a disease that primarily affects the poorest people in the world requires public funding for research and development as well as funding for vaccine purchase once malaria vaccines are licensed. As a nation, we must take the challenge offered by African heads of state in 2000 and Bill Gates last fall to greatly increase funding for the development of new tools to defeat malaria, including a vaccine.

Global and national efforts to control malaria are making a difference. Lives are being saved and the movement to finally control malaria in Africa is picking up momentum. Evidence of this includes the increasing level of support for malaria control by the Global Fund for AIDS, Tuberculosis and Malaria, by USAID and the President's Malaria Initiative. But more and broader support is needed to achieve the goal of ending deaths from malaria in the shortest time possible. For each year we delay, another one to two million lives are lost.

Today, Africa Malaria Day, the equivalent of seven large planeloads of children died from malaria. Most of these children were under the age of 5. This is a tragedy of immense proportions. While it is deeply saddening, we cannot let its sheer magnitude paralyze us into complacency. Knowing about these deaths impassions me to do everything I can. We must ensure adequate support for existing and new malaria control tools to prevent more deaths, today, tomorrow, and into the future.

HONORING THE MEMORY OF MR. BOB SCHULTZ

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BONNER. Mr. Speaker, Mobile and indeed the entire State of Alabama recently lost

a dear friend, and I rise today to honor him and pay tribute to his memory.

Bob Schultz, otherwise known as ''Mr. Mardi Gras,'' was a musical legend in Mobile. Arriving in Mobile in 1960, Bob quickly distinguished himself as the sound of carnival playing swing era music on both the clarinet and saxophone. In 1976, he organized the Bob Schultz Big Band. He and his band have played at countless mystic society balls, weddings, and other events over the last three decades. They were also a staple at the Riverview Plaza Sunday brunch.

One wedding, in particular, stands out in my memory. Bob and his band played ''Stars Fell on Alabama'' for my new bride and me to lead the dance. To say Bob Schultz will be missed is a considerable understatement.

Bob Schultz and his band members also found time to perform for many charities including: the Child Advocacy Center, United Way, the Taste of Mobile, the Alabama Desert Storm Heroes Welcome Home Committee, and the Cathedral Towers.

Mr. Speaker, I ask my colleagues to join me in remembering a fixture of Mobile Mardi Gras. Bob will be deeply missed by his family—his two brothers, William Schultz and Irving Schiff; and his sister, Irene Karasevich—as well as the countless friends and associates he leaves behind. Our thoughts and prayers are with them all at this difficult time.

TRIBUTE TO THE FOUNDERS AND EMPLOYEES OF THE CONTAINER RESEARCH CORPORATION ON THEIR 50TH ANNIVERSARY

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. WELDON of Pennsylvania. Mr. Speaker, it is a great honor for me to rise to honor the founders and employees of the Container Research Corporation on the celebration of their 50th anniversary on this Saturday, April 29, 2006. The Container Research Corporation is located in the small town of Glen Riddle, Pennsylvania, in the 7th Congressional District that I represent.

The Container Research Corporation, CRC, was founded in 1956. At its helm were the young, innovative minds of Stan Rines, Sr. and Bill Swan, Sr., talented businessmen and engineers. Mr. Rines and Mr. Swan designed and patented modern high tech metal containers that replaced existing commercial and military wooden crates. I am pleased to report that Mr. Rines and Mr. Swan, now in their eighties, still own and manage the growing company, with 140 employees at three facilities.

The Container Research Corporation was an early pioneer of military packaging for large aircraft parts. Over their 50 years of service they have excelled in the research, design and manufacturing of aerospace maintenance platforms, storage and shipping containers to worldwide aerospace customers. CRC has produced containers for the Pershing Missiles, the Pickatinny Arsenal artillery shells, nuclear fuel rods, all styles of helicopter blades, jet engines and most recently the F–35 Joint Strike Fighter Jet. They have partnered with such companies as Westinghouse, Boeing, Bell, Sikorsky and the U.S. military.

As the Vice-Chairman of the House Armed Services Committee and the Homeland Security Committee, I have seen first-hand the positive effects of the Container Research Corporation's incredible work ethic and upstanding patriotism. They have been a strong and consistent partner in strengthening not only our national economy, but our national defense and security as well.

Mr. Speaker, I am proud to have within my district one of the founding companies for modern aerospace storage and shipping containers. Our Nation owes Mr. Rines, Mr. Swan and all of the dedicated employees at the Container Research Corporation a huge debt of gratitude. We are certainly a safer country because of their efforts. I am proud to represent these fine men and women and honor them on their 50th Anniversary on the House Floor today.

TRIBUTE TO AN AMERICAN HERO—MICHAEL J. NOVOSEL

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. EVERETT. Mr. Speaker, I rise today to pay tribute to one of America's greatest military heroes, Michael J. ''Mike'' Novosel, who passed away on April 2 at the age of 83 at Walter Reed Army Hospital in Washington, DC.

Mike Novosel was a remarkable man who ranked among the best who ever donned a military uniform. I'm proud to point out that he spent much of his life in southeast Alabama where he had a monumental impact on the mission of the U.S. Army Aviation Center at Fort Rucker.

Born in Pennsylvania in 1922, Novosel joined the U.S. Army Air Force when he was 19. His training eventually took him to Maxwell Air Force Base where he qualified to fly the B–29 Superfortress. In 1945, he flew four Pacific combat missions with the 58th Bombardment Wing during the final days of World War II. But he did not stop there. Novosel commanded a B–29 as part of a fly-over during the Japanese surrender ceremony. His military career then led him to command the 99th Bombardment Squadron in the Pacific where he served until 1947 when he returned to the United States as a B–29 test pilot and then joined the Air Force Reserve. Soon after, he was called back to active duty at the Air Command and Staff School during the Korean War. But this was all just the beginning for Novosel.

During the Vietnam War, then Lt. Col. Novosel volunteered for duty in the Air Force Reserve. However, he was turned down because of his age. So, he traded his blue suit for the uniform of a U.S. Army warrant officer, and instead of piloting B–29's, took the stick of a Bell UH–I Huey. As a ''dust-off'' helicopter pilot, Novosel served two tours in Vietnam, totaling 2,543 missions airlifting 5,600 medical evacuees. Amazingly, one of the men he rescued was his own son, who, ironically, later rescued him. In one rescue mission, Novosel braved tremendous enemy fire to rescue no less than 29 men.

His bravery resulted in his receiving the Congressional Medal of Honor. He returned stateside to instruct the Army's Golden Knights parachute team at Fort Bragg and later he taught the Warrant Officer Career College at Fort Rucker. In 1985, Novosel was the last World War II pilot still flying. Fort Rucker named its main street ''Novosel Avenue'' for him, and after retirement Novosel remained in Enterprise, Alabama where he was an active member of the community until his death.

Mr. Speaker, Chief Warrant Officer Four Mike Novosel will rightfully be buried in Arlington National Cemetery alongside America's other great heroes. We can all be proud of his exemplary record, and I extend my condolences to his family.

TRIBUTE TO RICHARD L. KOHNSTAMM

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. HOOLEY. Mr. Speaker, I rise today to recognize the passing of a great Oregonian innovator, businessman, and friend. Richard L. Kohnstamm passed away last Friday, just days after his 80th birthday.

Like many Oregonians, Dick arrived in Oregon as a young man eager to forge his own future, and build his own adventure. What Dick couldn't possibly have known then, was that his future would become a true Oregon Legacy.

In 1955, Dick took over the management of Oregon's Historic Timberline Lodge on Mt. Hood. With his imagination, vision, and dedication, Dick transformed the lodge from a neglected public works building to an Oregon landmark.

He started the nation's first summer skiing, started a racing school, brought in Olympic Medalists as instructors, and completely revamped the lodge, making it a destination for Oregonians and visitors. With Dick's leadership, Timberline Lodge was the first ski area in the nation to receive the National Historic Landmark designation.

Dick met his wife Molly, and raised their four sons on the Mountain. He was a father figure to hundreds of young employees away from home. He was a leader. He was a visionary. He was a pioneer in the best Oregon tradition. He was an Oregon Icon.

I consider myself lucky to have known Dick, and I want to honor him for his extraordinary life and his many contributions to Mt. Hood and the State of Oregon.

LETTER TO THE EDITOR AS OFFERED BY WILLIAM T. WALKER, THEODORE, ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BONNER. Mr. Speaker, recently one of my constituents, William T. Walker, submitted a letter to the Mobile Register providing an interesting perspective on the recent peace march that started in Mobile, Alabama, and traveled throughout the Gulf Coast.

Many people across the Gulf Coast are still working hard to rebuild their homes, businesses and lives following last year's hurricanes. While the freedom to protest is one of the foundations of American democracy, it is important to see the effect that it can have. Today, I rise to ask that this letter be entered into the CONGRESSIONAL RECORD in its entirety:

MARCHERS HURT SPIRIT, GOOD WILL

''It does not take a majority to prevail . . . but rather an irate, tireless minority, keen on setting brush fires of freedom in the minds of men.''—Samuel Adams

I like to think of myself as part of that minority to whom Adams was referring. I know that some grow tired of my constant rant about freedom, about supporting this country and our leaders. Yet, I continue. Why?

Things like the peace march that left Mobile recently is one reason. When I heard about that march, I was in Gulfport, Miss., helping a man put his ceiling back in his house after it was hit by a pine tree during Hurricane Katrina.

A 60-foot pine tree will break any roof on the Gulf Coast. Sixty misguided, self-serving marchers were trying to break the good will and spirit of a people who have been through tragedy.

As I held the piece of drywall up for my friend to nail in, he asked me this: ''I wonder what those marchers have done to help people rebuild here on the Gulf Coast.'' That struck me. What have they done?

As they marched along the road, being photographed and reveling in their notoriety, thousands of people were out there, rebuilding the Gulf Coast. And those soft-headed fabricators of veracity marched on.

As those people marched along the road, having their pictures taken by news photographers, all us old dumb guys were in the background. Black and white, Democrat and Republican, religious and not, we were repairing things, cleaning up, and making this a better place to live.

And those foot soldiers of fabrication marched on, planting their perfidious propaganda with each step. I pray that their crop will fail.—WILLIAM T. WALKER, Theodore, Alabama

HONORING MATT VALENTI NCAA WRESTLING CHAMPION

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. WELDON of Pennsylvania. Mr. Speaker, it is a special honor to recognize Matt Valenti, a student athlete from the University of Pennsylvania, who recently won the NCAA wrestling championship. Penn's sports history records need updating now to include Matt as one of only three wrestlers to have achieved this distinction as national champion. All three wrestlers are bound together by their high level of motivation and their devotion to the time-honored virtues of hard work and sacrifice.

We are all aware of the competitive nature and demanding rigors of this sport. Matt's achievements have set a new benchmark for excellence in this sport. The following statistics speak for themselves and place Matt in an elite category:

He won five consecutive matches against the nation's best wrestlers in the 2006 NCAA Championships to win the national title at 133 lbs.

He showed courage and determination in reversing and riding Chris Fleeger of Purdue University to win the national final 3–2.

He accomplished his title by beating the tournament's second and third-seeded wrestlers and a former national runner-up.

He had two pins in five matches at the NCAA Championships.

He showed excellence and outstanding skill by being taken down only once and reversed once in his five matches.

He became only the third national champion in the 102-year history of Penn wrestling.

He led his team to score the most points in an NCAA Championship in team history.

He is a two-time All-American, in 2004 and 2006.

On the day Matt won the NCAA Championship, the pressure on him was immense. The way he wrestled his way to the championship is a testament to his grace under pressure, his good sportsmanship, and most importantly, his example as a role model for youth that make him special to not only to wrestling fans in Pennsylvania, but to everyone who pursues the American dream.

Finally, I would be remiss, if I did not recognize the extraordinary effort and commitment of Head Coach Zeke Jones who inspires and motivates the true grit and discipline so necessary on the mats. His personal commitment to excellence has served the University of Pennsylvania well. We share his pride in Matt Valenti's tremendous success as NCAA Champion and look to Matt to take us to the 2008 Olympics.

CONSUMER CANCELLATION FAIRNESS ACT

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. ZOE LOFGREN of California. Mr. Speaker, consumers are currently exposed to difficult cancellation policies for service subscriptions that are more costly and burdensome than continuing the service and paying the annual or monthly fee.

When consumers sign up for a service, they are often told that renewal occurs through automatic charges to their credit cards. When consumers decide to cancel, they run into difficulties, such as long distance phone calls with long hold times, all at the expense of the consumer.

To combat such abusive business practices, I have introduced the Consumer Cancellation Fairness Act.

My bill would require businesses to permit their customers to cancel subscription services in the same manner and by the same means they use to subscribe to such services.

If one click on a Web site or a toll-free call is all it takes to sign up for a service, then one click or a toll-free call should be enough to cancel.

I strongly urge this House to swiftly consider and pass the Consumer Cancellation Fairness Act to protect consumers from further abuse.

CONGRATULATIONS TO MR. AND MRS. WILLIE THOMAS POUNCY ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BONNER. Mr. Speaker, I rise today to congratulate Mr. Willie Thomas Pouncy and Mrs. Lucile Pouncy on the occasion of their 50th Wedding Anniversary, which began on April 21, 1956, at Rock Elvy Baptist Church in Shady Grove, Alabama.

Mr. Pouncy is a respected member of his church and community. He has served faithfully as a deacon at Rock Elvy Baptist Church since 1954. In 1952, Mr. Pouncy was drafted in the U.S. Army, where he served during the Korean War. Upon completion of his tour of duty, he went on to own and run a small farm in Goshen, Alabama, and work on the railroad in Waycross, Georgia. He also worked for Brotherhood of Maintenance of Way Employees for 19 years. Mr. Pouncy worked diligently to set an example to his seven sons as to what a husband and father should be, and he taught his seven daughters what traits are important in a husband. All the while, Mr. Pouncy had several admirers but none as important as his 14 children and his wife, Lucile.

Mrs. Pouncy was born Lucile Tucker in Shady Grove, Alabama. She is the embodiment of a God-fearing woman. She has always emphasized the importance of God, family, and education. Mrs. Pouncy served Rock Elvy Baptist Church as a secretary and is an usher, board member and deaconess. She managed a household of 14 children while her husband was away with work. She always made sure the homework was completed, chores finished, and Sunday school lessons comprehended. Mrs. Pouncy mastered the art of rearing with a stern will but a compassionate heart. She was not only a mother to her own children, but she served as a second mother to many of the children in the community.

I know Alabama and even our nation have benefited from the union of Mr. and Mrs. Pouncy. Among their 14 children, 32 grandchildren and six great-grandchildren, there are two sons and two grandsons that have served in the recent war on terror. Additionally, they have raised: a social worker, several engineers, a bank president, a counselor, a minister, numerous business professionals, and most important to me . . . my director of constituent services.

Their 14 children: Willie Dean, Willie Thomas, Jr., Claudie Frank, Sharon (deceased), Linda, Michael, Lisha, Winfred, James, Kathy, Salena, Tyrone, Errical and Eric would like me to pass on their word of appreciation to their parents for the example they set, encouragement given, and yes, even for the discipline administered.

Mr. Speaker, in these times it is refreshing to know a family that is committed to the values and outstanding morals that Mr. and Mrs. Willie Thomas Pouncy have encouraged in their marriage and family. I have no doubt that this marriage symbolizes the strength of character and love of God that every American should emulate. Congratulations to Mr. and

Mrs. Pouncy on their 50th Wedding Anniversary—the world is a better place because of their contributions.

FAILURE OF ''PLAN COLOMBIA''

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. PAUL. Mr. Speaker, I rise to introduce the following article detailing the complete failure of ''Plan Colombia'' into the CONGRESSIONAL RECORD. As the article points out, despite more than 4 billion dollars being sent to Colombia to fight the ''war on drugs,'' the coca crop grew by 21 percent last year. After six years of massive wealth transfers from U.S. taxpayers to the Colombian government, not only has no progress been made, but in fact things are getting worse. Unfortunately, with the way things are done in Washington, this failure of ''Plan Colombia'' will likely result in calls for even more money to be tossed in the black hole of the drug war. It would be far better to learn from our mistakes and abandon the failed ''Plan Colombia.''

[From the Houston Chronicle, April 16, 2006]

COCA CROP JUMPS DESPITE U.S. AID

(By John Otis)

BOGOTA, COLOMBIA.—In a blow to the United States' anti-drug campaign here, which cost more than $4 billion, new White House estimates indicate that Colombia's coca crop expanded by nearly 21 percent last year.

Figures released late Friday by the Office of National Drug Control Policy indicate Colombian farmers last year grew 355,680 acres of coca, the raw material for cocaine. That represents a jump of nearly 74,000 acres from 2004 even though U.S. funded cropdusters destroyed record amounts of coca plants in 2005.

Washington has provided the Bogota government with more than $4 billion, mostly in anti-drug aid since 2000 for a program known as Plan Colombia—which was supposed to cut coca cultivation by half within six years.

Yet according to the new figures, more coca is now being grown here than when Plan Colombia started. ''This is going to turn heads'' on Capitol Hill, said Adam Isacson, a Colombia expert at the Center for International Policy in Washington and a longtime critic of U.S. counterdrug strategies in Latin America.

''You're talking about $4.7 billion spent on Plan Colombia, and this is all we have to show for it?''

The Bush administration downplayed the significance of the coca crop survey, an annual study of parts of Colombia carried out by the CIA using satellite imagery and on-the-ground inspections.

Rather than an increase in the crop's size, the higher numbers may reflect a more thorough job of surveying the Colombian countryside, the White House said in a news release.

The statement said the area of Colombia sampled for the 2005 coca estimate was 81 percent larger than in 2004.

''Because of this uncertainty and the significantly expanded survey area, a direct year-to-year comparison (of the size of the coca crop) is not possible,'' said the statement.

However, when year-to-year drug crop comparisons have reflected positive trends, U.S. officials have loudly touted the numbers as clear proof of success.

In 2002, for example, the CIA survey showed a drop in coca production and White House drug czar John Walters declared: ''These figures capture the dramatic improvement. . . . Our anti-drug efforts in Colombia are now paying off.''

But some U.S. officials and drug policy analysts claim that Colombia has likely been producing far more coca over the past five years than the CIA surveys have indicated.

''The cultivation numbers, wherever they seem to be headed, need to be taken with a grain of salt,'' said Joy Olson, director of the Washington Office on Latin America, a think tank. ''In reality, coca cultivation and cocaine production exceed the official estimates, perhaps by wide margins.''

What's more, she said, cheap, potent cocaine remains readily available on U.S. streets, indicating that the drug war in Colombia is having little real impact.

Some U.S. officials have forecast a gradual reduction in assistance for Colombia, starting in 2008. This year, Washington will send about $750 million in aid to Colombia, the source of 90 percent of the cocaine sold on U.S. streets.

The centerpiece of the U.S. anti-drug strategy here is a controversial aerial-eradication program in which crop-dusters, escorted by helicopter gunships, bombard coca plants with chemical defoliants. But the program costs about $200 million annually and many critics say the money would be better spent elsewhere. The idea of eradication is to persuade peasant farmers to give up growing coca and to plant legal crops. But funding by the U.S. and Colombian governments for crop-substitution programs pale in comparison to the eradication budget and most efforts to develop alternatives have failed.

Part of the problem is that coca is often grown in remote jungles and mountains that are controlled by Marxist guerrillas, contain few roads or markets, and have almost no government presence. Thus, even as crop-dusters have killed off record amounts of coca, farmers stay a step ahead of the spray planes by pushing deeper into the wilderness to grow more.

In 2000, Colombian farmers attempted to grow about 450,000 acres of coca, about one-third of which was wiped out by the spray planes, according to U.S. government figures. Last year, by contrast, they tried to grow a whopping 780,000 acres. ''People with no economic alternatives have not been deterred by fumigation,'' said Isacson of the Center for International Policy. ''Fumigating an area is no substitute for governing it.''

Despite the rise in coca cultivation, Anne Patterson, a former U.S. ambassador to Colombia who heads the State Department bureau that runs the eradication program, told a congressional hearing in Washington last month that the Bush administration was considering ''stepping up'' the crop-dusting campaign.

Beyond the drug war, Patterson said, the overall U.S. aid program ''has benefited Colombia in ways we had not anticipated.''

She cited better security conditions in the cities and the countryside, where the number of kidnappings and murders has dropped, as well as recent blows to the nation's narcotics traffickers and guerrilla groups.

RAMSEY, INDIANA WILFRED EDWARD ''COUSIN WILLIE'' SIEG, SR. POST OFFICE

HON. MICHAEL E. SODREL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. SODREL. Mr. Speaker, it is with great honor I introduce this bill to recognize the accomplishments of one man by naming the Ramsey, IN postal facility after a beloved member of our community, ''Cousin Willie''. The privilege to introduce this bill with the support of the entire Indiana Delegation makes it all that more special.

If you asked someone in Ramsey who Wilfred Edward Sieg, Sr. was or what he was about, some may not be able to tell you. But if you asked them about ''Cousin Willie'', that's a different story. ''Cousin Willie'' and Wilfred Edward Sieg, Sr. are one in the same.

Wilfred Edward ''Cousin Willie'' Sieg, Sr., son of the late Edward and Agnes Gettelfinger Sieg, was born March 16, 1931 in his life-long home of Ramsey, IN. After finishing High School at Corydon High, ''Cousin Willie'' went on to graduate from Indiana University in 1953 with a degree in marketing. Upon graduation, Cousin Willie served our country as First Lieutenant in the United States Air Force. He continued to serve his country through 1968 as a member of both the Air Force and the Air Force Reserves.

After his active-duty service, Cousin Willie returned home to help run the family business, Ramsey Popcorn Company, alongside his parents and brothers. ''Cousin Willie's'' parents started Ramsey Popcorn in 1944 going door to door selling raw popcorn kernels out of the back of their truck. The business soon grew and in the early 1960's, ''Cousin Willie'', along with his three brothers, took over day-to-day operations of the business from his parents and eventually served as President of Ramsey Popcorn Co., Inc. Under his guidance, Ramsey Popcorn Co. grew to become one of the top four producers of popcorn in the world. The company sells roughly 50 million pounds of popcorn a year and exports to over 20 countries throughout the world. Ramsey also sells to house-hold name snack food manufacturers and supermarkets including Kraft, Frito Lay, Campbell's, The Kroger Co. and Target as just a sample.

Before graduating from IU, ''Cousin Willie'' married his High School sweetheart, Doris Marie Byrum. ''Cousin Willie'' and Doris were the proud parents of 13 children. Cousin Willie was a firm believer in hard work and was known to put his kids to work on the family farm doing tough and unwanted jobs. ''That way, by the time they get to working at the popcorn plant, they like it just fine.''

Mr. Sieg was truly proud of his small community and felt compelled to become involved in any way he could. In addition to employing many members of his community, he was also a member of the Ramsey Lion's Club, the Ramsey-Spencer Grange and local Farm Bureau. He was a Rotarian and actively involved in local and state politics as well as the area schools' athletic programs. He also served as a Member of two Boards; the Ramsey Water Company and the North Harrison Community School Board.

Mr. Sieg passed away on February 2, 2006 at the age of 74 after losing a battle with lung

cancer. The town of Ramsey, Harrison County, and the state of Indiana lost a proud and prominent member of their community. I am privileged to have had such an outstanding Hoosier as a constituent and I cannot see any greater honor for a father, husband, community leader, employer, veteran and friend known for his dedication to family, faith, business and community, Wilfred Edward Sieg, Sr., Cousin Willie than by bestowing this honor upon him.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

SPEECH OF

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965:

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise today to support H.R. 609, the College Access and Opportunity Act. While this bill to reauthorize the Higher Education Act is by no means perfect, the bill represents an expanded opportunity and a chance to succeed for the hundreds of thousands of minority students who dream of obtaining a college degree. That is why I plan to vote for the bill today.

College degrees open many doors to the future. Students that obtain bachelor degrees have on average higher earning potentials, more competitive jobs, and higher standards of living. But many minority students are unable to obtain a college degree because they lack the necessary resources to do so, and as a result the doors to opportunity often remain closed. Data from 2000 shows that only 13 percent of Hispanics and 15 percent of Blacks in California earned a bachelor's degree, compared to 31 percent for Caucasians.

Despite its flaws, H.R. 609 contains key provisions that will help Hispanics and other minorities succeed academically from the day they enter Kindergarten to the day they receive their college diploma and beyond.

The bill supports minorities in elementary and secondary education by recruiting minorities to the teaching profession and focusing on the needs of Limited English Proficient students.

In addition, the bill creates new ''Centers for Excellence'' programs that will prepare teachers, including minority teachers, to become ''Highly Qualified'' in K–12 classrooms.

Beyond high school, the bill reauthorizes the High School Equivalency Program (HEP) that assists low-income migrant and seasonal farmworkers to obtain a high school diploma or certificate, and it reauthorizes the College Assistance Migrant Program (CAMP) that provides tutoring and counseling to migrant students in their first year of college.

The bill also supports Hispanic-Serving Institutions (HSIs) by establishing a new HSI grant for graduate degrees and by eliminating the two-year wait between grant applications.

In closing let me highlight some of my concerns, which I hope will be addressed as the bill moves through the process to passage. In particular, I am concerned that the bill does not invest in critical student aid programs on a high enough level. The most telling example is that of Pell Grants, which help many disadvantaged children to go to college. This bill would set maximum Pell Grants at the abysmally low amount of $6,000. I was especially disappointed that Democrats were not allowed to offer an amendment to authorize higher funding levels for Pell Grants and other student aid and support programs.

Nevertheless, this bill does provide a much needed single definition of higher education and reauthorizes successful programs such as GEAR UP, TRIO, grants for alcohol and drug abuse prevention, and the Perkins Loan. These efforts to strengthen existing programs and provide benefits for Hispanic and other minority students who dream of a college education led me to vote for H.R. 609 today.

PERSONAL EXPLANATION

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. LANGEVIN. Mr. Speaker, on the evening of April 6, 2006, I was unable to vote due to an important prescheduled speaking engagement, for which I was granted a leave of absence. I would like the RECORD to reflect that, had I been present, I would have voted ''yea'' on Roll Call vote numbers 93, 94, 95, 96, 97, 98 and 99.

TRIBUTE TO REVEREND JEROME A. GREENE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. SERRANO. Mr. Speaker, I rise today to honor Rev. Jerome A. Greene, a dear friend, who used his life to uplift and empower others. Although Reverend Greene passed away on August 23, 2004, his lifetime of service lives on in the hearts and minds of the residents of the Bronx. On Wednesday, April 19, 2006, his city and his home borough will show its gratitude to this remarkable man by renaming Teller Avenue between E. 168th and E. 169th ''Reverend Jerome A. Greene Place''.

Reverend Greene was born March 12, 1941 in Welch, West Virginia to Emmanuel Greene and Savannah Elsie Anderson. As a young man he led the fight for the integration of his high school in West Virginia and became the first black male to graduate with honors. Upon graduating from high school, he moved to Queens, NY and enrolled in City College. Graduating with a degree in education, Greene began his teaching career in Harlem in 1963.

In 1967, Reverend Greene left the public school system to serve as Director of Programming, Evaluation, Education and Training at the Morrisania Community Progress Center. Although he was no longer with the public school system, Reverend Greene remained committed to improving the educational experience of New York students. Realizing the importance of putting more teachers in the classroom, he helped to secure millions of dollars to create more than 600 paraprofessional jobs in various school districts. His efforts not only earned him the nickname ''Father of Paraprofessionals'' but the respect and admiration of the young men and women he helped to employ, myself included. My experiences as a paraprofessional in the late 1960's provided me with a unique understanding of the public school system and helped to shape my career as a public servant. I will always be grateful to Reverend Greene for helping to open the door that enabled me to serve my community.

In 1975, Reverend Greene married his beloved Aurelia and for 29 years they worked side by side in an effort to improve the lives of the residents of the Bronx. It was not long after his marriage that he began teaching prayer ministry in his home, which ultimately became the Bronx Christian Charismatic Prayer Fellowship, Inc. In 1991, the church moved to its current location on Third Avenue in the Bronx, providing the good Reverend with more space to teach the benefits of living a virtuous life.

Reverend Greene also served as Treasurer and Chairperson of Bronx Community Board #4 and was elected Male District leader of the 77th Assembly District, where he served until his passing in 2004.

The recipient of many civic and professional awards, Reverend Greene was well loved and well respected. His works will continue to impact the lives of New Yorkers for generations to come. Surely, that is the mark of a great life.

May ''Reverend Jerome A. Greene Place'' forever stand as a reminder of his selfless efforts to improve the lives of his fellow man and may it compel us all to do the same.

Mr. Speaker, for his indomitable spirit that continues to inspire even though he has passed on, I ask that my colleagues join me in honoring Rev. Jerome A. Greene.

TRIBUTE TO GRAND RABBI OF SATMOR, RABBI MOSES TEITELBAUM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. TOWNS. Mr. Speaker. I rise to join the Satmar and Jewish communities across the world in mourning the passing of the Grand Rabbi of Satmar, Rabbi Moses Teitelbaum. Thousands amassed in Brooklyn and Monroe, New York on short notice to show their respect and admiration. It is indeed a tribute to Rabbi Teitelbaum's leadership that the Satmar community now numbering over 120,000, experienced remarkable growth during his tenure.

Rabbi Teitelbaum's life was one of perseverance, dedication and commitment to the Satmar and Jewish communities. A survivor of Auschwitz and the Holocaust, Rabbi Teitelbaum began a new life in the United States after he lost his immediate family to the Nazi genocide. As perhaps a tribute to his life, his first great, great granddaughter was born on the day the Rebbe passed away.

I was blessed with the opportunity to meet with the Grand Rabbi on numerous occasions in his home in Williamsburg, Brooklyn. A simple and humble man, his poignant advice and

encouragement were sought by many and the depth of his wisdom will sorely be missed.

Mr. Speaker, I know that my colleagues will join me in marking the passing of this great leader. We can all be comforted with the enormous legacy that survives Rabbi Moses Teitelbaum's remarkable life.

INTRODUCTION OF THE ''MILITARY RANGE LEGACY ACT OF 2006''

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. BLUMENAUER. Mr. Speaker, today I am introducing the "Military Range Legacy Act of 2006." This bill strengthens military base clean-up programs through the use and development of new technologies, better programmatic organization, and a greater attention to the needs of the communities impacted by base closures.

I am proud that the United States has the best trained military in the world. Yet, as a result of this training, over 3,000 sites on former military ranges are contaminated with unexploded ordnance, UXO discarded military munitions, and munitions constituents. These sites, littered with still-dangerous explosives and harmful contaminants, pose health and safety risks to our communities while preventing the redevelopment of closed bases and limiting opportunities for job creation and economic growth. By passing the Military Range Legacy Act or including provisions of it in the 2007 National Defense Authorization Act and providing the necessary funding, we can achieve real progress towards making our former defense communities safer, healthier, and more economically secure.

TRIBUTE TO KIMBERLY OLIVER, NATIONAL TEACHER OF THE YEAR

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. VAN HOLLEN. Mr. Speaker, I rise to congratulate my constituent Kimberly Oliver for being named the 2006 National Teacher of the Year. Ms. Oliver, a kindergarten teacher at Broad Acres Elementary School in Silver Spring, Maryland, exemplifies the best of the teaching profession—an innovative instructor who inspires her students to reach their full potential. Today, Ms. Oliver makes history as the first Montgomery County Public School or Maryland teacher to win this prestigious honor.

Ms. Oliver has worked tirelessly, not only as a teacher but also as a leader outside of the classroom. Just a few short years ago, Broad Acres was on the brink of a takeover by the Maryland State Department of Education due to low performance by its students. Thanks to the hard work and dedication of Ms. Oliver and other faculty members, staff, and students, Broad Acres is now a model of school reform.

Oliver was named Montgomery County Teacher of the Year in April 2005 and was selected Maryland Teacher of the Year last October. She was named one of four finalists for the national honor in January. As the 56th National Teacher of the Year, she will spend the next year representing our Nation's teachers at events around the country.

The National Teacher of the Year Program is one of the oldest and most prestigious national honors programs that recognizes excellence in teaching. I am proud that one of Montgomery County's many outstanding teachers was awarded this honor.

Education is the foundation of opportunity and America's children need teachers like Ms. Oliver to help provide them with the knowledge and training they need to become the leaders of tomorrow. I applaud Kimberly Oliver's achievement and wish her success in her future endeavors.

COMMEMORATION OF THE ARMENIAN GENOCIDE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. COSTELLO. Mr. Speaker, I rise today to pay tribute to the victims of the Armenian Genocide.

Each year on April 24th, the Armenian community and others throughout the world remember and solemnly commemorate the 300 Armenian religious, political, and intellectual leaders that were arrested in Constantinople, taken to Turkey and murdered. Today marks the 91st anniversary of the deliberate campaign of genocide perpetrated by the Ottoman Empire in 1915. From 1915–1923, 1.5 million Armenians were murdered and more than 500,000 were forced from their homeland into exile.

Despite the effort of some to minimize the scope and deny its occurrence, the Armenian Genocide is a historical fact. In the years since, descendants of Armenian immigrants have clung to their identity and have prospered across this nation and throughout the world. In my district, there is a significant population of Armenian survivors and their families that showed heroic bravery and a will to survive. With faith and courage, generations of Armenians have overcome great suffering and proudly preserved their culture, traditions, and religion by sharing their story of the genocide. It is through their unforgettable tragedy that we are able to share in their history and strong heritage.

Mr. Speaker, it is impossible to imagine an evil more powerful than the massacre and willful destruction of a people. By commemorating the Armenian Genocide, we renew our commitment to prevent future atrocities, and therefore we ensure the lessons of the Armenian Genocide are properly understood and acknowledged. As U.S. efforts to aid victims of genocide continue, it is imperative that we pay tribute to the memory of others who have suffered and to never forget the past.

RECOGNIZING THE 91ST ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Ms. SOLIS. Mr. Speaker, I rise today to commemorate the 91st anniversary of the Armenian genocide.

From 1915 to 1923, more than 1.5 million Armenians suffered mass killings and more than half a million others were forced from their homeland into exile by the Ottoman Empire. Yet, from the ashes of destruction, the survivors rebuilt their lives. In the years since, descendants of Armenian immigrants have clung to their identity and have prospered across this nation and throughout the world. Communities in California and across the United States are fortunate to be home to an organized and active Armenian community, whose members contribute and participate in every aspect of civic life.

Despite the many thriving communities, the scars of genocide remain deeply embedded in history and in our conscience. Today we mourn the victims, pay tribute to the survivors, stand together with all who are committed to promoting awareness about the atrocities of genocide, and renew our commitment to prevent future atrocities. Today we remember to never forget.

COMMEMORATING THE 91ST ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. JOHN J.H. "JOE" SCHWARZ

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. SCHWARZ of Michigan. Mr. Speaker, I rise today to commemorate the 91st anniversary of the Armenian genocide, to remember the victims, to recognize the survivors, and to keep the memory of this atrocity fresh and alive.

The Armenian genocide began April 24, 1915 with the Ottoman Empire's campaign to eradicate the Armenian presence within its borders. The alarmed American ambassador at the time protested Ottoman policy and wrote to Washington describing what was happening on the ground as a "campaign of race extermination." By the time the genocide ended eight years later it claimed one and a half million souls and forced another half a million Armenians to flee their homes and leave their country in order to survive, many coming to the United States where the community would go on to thrive.

This despicable mass murder, torture, and killing of innocents was indeed a genocide; that fact can neither be denied nor ignored. It is outrageous that 91 years later the governments of the United States and Turkey still refuse to acknowledge this slaughter for what it was. This is shameful in light of the magnitude of suffering the Armenian community has endured since their victimization and the subsequent historical denial of their persecution.

It is time to act by appropriately condemning this horrific event. I join my colleagues from

the Congressional Caucus on Armenian Issues in calling upon this administration and the government of Turkey to formally recognize the Armenian genocide.

91ST ANNUAL OBSERVANCE OF THE ARMENIAN GENOCIDE

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2006

Mr. LEVIN. Mr. Speaker, I rise to join my colleagues in commemorating the 91st annual observance of the Armenian Genocide.

Ninety-one years ago, there began a vast human tragedy with the execution of some 300 Armenian leaders, professionals and intellectuals. Over the next eight years, a brutal campaign of genocide against the Armenian people was carried out in the Ottoman Empire, leading to the deaths of over 1.5 million people and the deporting of another 500,000.

Decade after decade there has been a failure to acknowledge the Armenian genocide. Today, while there is increased pressure on Turkey to acknowledge the facts of history, and some new voices have been raised to urge this acknowledgement, there remain efforts to evade this dark chapter in human history, as evidenced by a book recently sent to Congressional offices.

So this is the time for all of us who have been joining in the commemoration of the Armenian Genocide to continue to speak out. It is vital and urgent for us to insist that there be a universal participation in remembering the victims. We must say, to those who hesitate, our humanity can settle for nothing less.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3435–S3525

Measures Introduced: Sixteen bills and six resolutions were introduced, as follows: S. 2636–2651, S.J. Res. 34, and S. Res. 441–445. **Page S3506**

Measures Passed:

Relative to the Death of Francis R. Valeo: Senate agreed to S. Res. 443, relative to the death of Francis R. Valeo, former Secretary of the Senate. **Pages S3523–24**

Commemorating American Jewish Committee: Senate agreed to S. Res. 444, commemorating the 100th anniversary of the founding of the American Jewish Committee. **Page S3524**

Holocaust Remembrance Day: Senate agreed to S. Res. 445, expressing the sense of the Senate in commemorating the Holocaust Remembrance Day. **Pages S3524–25**

Emergency Supplemental Appropriations: Senate resumed consideration of H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, and that the bill as amended be considered as original text for the purpose of further amendment, taking action on the following amendments proposed thereto: **Pages S3444–92**

Pending:

Gregg Modified Amendment No. 3594, to provide, with an offset, emergency funding for border security efforts. **Pages S3476–83, S3492**

Harkin/Grassley Amendment No. 3600, to limit the compensation of employees funded through the Employment and Training Administration. **Pages S3483–86**

Reid Amendment No. 3604, to provide, with an offset, emergency funding for border security efforts. **Pages S3490–92**

During consideration of this measure today, Senate also took the following action:

Chair sustained a point of order against Menendez Amendment No. 3598, to provide a highway fuel tax holiday funded by the repeal of certain production incentives, as being in violation of rule XVI of the Standing Rules of the Senate, which prohibits legislation on appropriation matters, and the amendment thus fell. **Pages S3486–87**

A unanimous-consent agreement was reached providing that at 12 noon, on Wednesday, April 26, 2006, Senate proceed to a vote on Gregg Modified Amendment No. 3594 (listed above), to be followed by a vote on Reid Amendment No. 3604 (listed above); provided further, that no second degree amendments be in order to the amendments, and that when the Senate resumes consideration of the bill on Wednesday, all debate time until the votes occur be equally divided between the two Leaders or their designees. **Page S3492**

Appointments:

Canada-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the Second Session of the 109th Congress: Senators Leahy and Akaka. **Page S3523**

U.S. Commission on International Religious Freedom: The Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appointed the following individual to the United States Commission on International Religious Freedom: Preeta D. Bansal of Nebraska, for a term of two years (May 15, 2006–May 14, 2008). **Page S3523**

Nominations Confirmed: Senate confirmed the following nomination:

By unanimous vote of 93 yeas (Vote No. EX. 93), Gray Hampton Miller, of Texas, to be United States District Judge for the Southern District of Texas. **Pages S3442–43**

Nominations Received: Senate received the following nominations:

Sue C. Payton, of Virginia, to be an Assistant Secretary of the Air Force.

Kevin J. Martin, of North Carolina, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2006.

April H. Foley, of New York, to be Ambassador to the Republic of Hungary.

Tracey Ann Jacobson, of the District of Columbia, to be Ambassador to the Republic of Tajikistan.

Gaddi H. Vasquez, of California, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture.

Lawrence A. Warder, of Texas, to be Chief Financial Officer, Department of Education.

Frances Marie Tydingco-Gatewood, of Guam, to be Judge for the District Court of Guam for the term of ten years.

Steven C. Preston, of Illinois, to be Administrator of the Small Business Administration.

1 Air Force nomination in the rank of general.

2 Navy nominations in the rank of admiral.

Page S3525

Executive Communications: **Pages S3503–06**

Additional Cosponsors: **Pages S3506–08**

Statements on Introduced Bills/Resolutions: **Pages S3508–17**

Additional Statements: **Pages S3501–03**

Amendments Submitted: **Pages S3517–22**

Notices of Hearings/Meetings: **Page S3522**

Authorities for Committees to Meet: **Pages S3522–23**

Privileges of the Floor: **Page S3523**

Record Votes: One record vote was taken today. (Total—93) **Page S3443**

Adjournment: Senate convened at 9:46 a.m., and as a further mark of respect to the memory of the late Francis R. Valeo, former Secretary of the Senate, in accordance with S. Res. 443, adjourned at 6:53 p.m., until 9:30 a.m., on Wednesday, April 26, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3525.)

Committee Meetings

(Committees not listed did not meet)

FINANCIAL DISCLOSURE

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine current securities issues, focusing on improving financial disclosure for individual investors, after receiving testimony from Christopher Cox, Chairman, U.S. Securities and Exchange Commission.

NASA

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space concluded a hearing to examine activities of the National Aeronautics and Space Administration, focusing on space exploration, scientific discovery, and aeronautics research, after receiving testimony from Michael D. Griffin, Administrator, National Aeronautics and Space Administration.

METHAMPHETAMINE

Committee on Finance: Committee held a hearing to examine the social and economic effects of the methamphetamine epidemic on America's child welfare system, receiving testimony from Kevin T. Frank, Montana Department of Public Health and Human Services, Child and Family Services, Billings; Nancy K. Young, Children and Family Futures, Inc., Irvine, California; Frederick Aigner, Lutheran Social Services of Illinois, Des Plaines; and certain other witnesses.

Hearings recessed subject to the call.

NORTH KOREA

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine the scope of illicit activity funding the current regime of North Korea, focusing on narcotics trafficking, manufacturing and trading in counterfeit cigarettes, and the Supernote family of counterfeit currency notes, after receiving testimony from Peter A. Prahar, Director, Office of Africa, Asia and Europe Programs, Bureau for International Narcotics and Law Enforcement Affairs, Department of State; Michael Merritt, Deputy Assistant Director, U.S. Secret Service, Department of Homeland Security; Kim Seung Min, Free North Korea Radio, Seoul, South Korea; David Asher, Institute for Defense Analyses, Alexandria, Virginia; and Marcus Noland, Institute for International Economics, and Chuck Downs, both of Washington, D.C.

IMMIGRATION AND ECONOMIC IMPACTS

Committee on the Judiciary: Committee concluded a hearing to examine immigration issues, focusing on economic impacts relating to trade and capital flows and policies that affect trade and capital that alter immigration, after receiving testimony from Richard B. Freeman, Harvard University, Cambridge, Massachusetts; Dan Siciliano, Stanford Law School, Stanford, California; Barry R. Chiswick, University of Illinois at Chicago; and Harry J. Holzer, Georgetown University, Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Milan D. Smith, Jr., of California, to be United States Circuit Judge for the Ninth Circuit, who was introduced by Senators Feinstein and Boxer, and Renee Marie Bumb, Noel Lawrence Hillman, Peter G. Sheridan, and Susan Davis Wigenton, each to be United States District Judge for the District of New Jersey, who were introduced by Senators Lautenberg and Menendez, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 5169–51195; 6 resolutions, H. Con. Res. 389; and H. Res. 772–773, 775–777 were introduced. **Pages H1741–42**

Additional Cosponsors: **Pages H1742–44**

Reports Filed: Reports were filed today as follows:

H. Con. Res. 349, to authorize the use of the Capitol Grounds for the Greater Washington Soap Box Derby (H. Rept. 109–416);

H.R. 282, to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran, with an amendment (H. Rept. 109–417);

H.R. 3462, to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, with an amendment (H. Rept. 109–418);

H.R. 2978, to allow the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation to enter into a lease or other temporary conveyance of water rights recognized under the Fort Peck-Montana Compact for the purpose of meeting the water needs of the Dry Prairie Rural Water Association, Incorporated (H. Rept. 109–419);

H.R. 2563, to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho, with an amendment (H. Rept. 109–420);

H.R. 518, to require the Secretary of the Interior to refine the Department of the Interior program for providing assistance for the conservation of neotropical migratory birds, with an amendment (H. Rept. 109–421);

H.R. 374, to direct the Secretary of the Interior to take certain tribally-owned reservation land into trust for the Puyallup Tribe, with an amendment (H. Rept. 109–422);

H.R. 122, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project, with an amendment (H. Rept. 109–423); and

H.R. 4912, to amend section 242 of the National Housing Act to extend the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals (H. Rept. 109–424);

H.J. Res. 78, approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower (H. Rept. 109–425);

S. 584, to require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park (Private Bill H. Rept. 109–426);

H.R. 1307, to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System (H. Rept. 109–427);

S. 1869, to reauthorize the Coastal Barrier Resources Act (H. Rept. 109–428);

S. 1165, to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii (H. Rept. 109–429);

H.R. 4204, to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project (H. Rept. 109–430);

H.R. 3967, to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes (H. Rept. 109–431); and

H.R. 4080, to extend the contract for the Glendo Unit of the Missouri River Basin Project in the State of Wyoming (H. Rept. 109–432);

H.R. 3682, to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge (H. Rept. 109–433);

2006 Congressional Drug Control Budget and Policy Assessment: A Review of the 2007 National Drug Control Budget and 2006 National Drug Control Strategy (H. Rept. 109–434);

Updating Nuclear Security Standards: How Long Can the Department of Energy Afford to Wait? (H. Rept. 109–435);

Strengthening Disease Surveillance (H. Rept. 109–436);

H.R. 1595, to implement the recommendations of the Guam War Claims Review Commission, with an amendment (H. Rept. 109–437, Pt. 1);

H. Res. 774, providing for consideration of (H.R. 5020) 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 (H. Rept. 109–438); and

H.R. 4975, to provide greater tranparency with respect to lobbying activities, and for other purposes (H. Rept. 109–439, Pts. 1, 2, 3, and 4).

Pages H1740–41

Speaker: Read a letter from the Speaker wherein he appointed Representative Drake to act as Speaker pro tempore for today. **Page H1683**

Meeting Hour for Thursday: Agreed that when the House adjourn on Wednesday, April 26th, it adjourn to meet at 9 a.m. on Thursday, April 27th, for the purpose of receiving former Members of Congress in the House Chamber. Further agreed that it be in order for the Speaker to declare the House in recess subject to the call of the Chair for the purpose of receiving the former Members. **Page H1686**

Suspensions: The House agreed to suspend the rules and pass the following measures:

To memorialize and honor the contribution of Chief Justice William H. Rehnquist: H.J. Res. 83, to memorialize and honor the contribution of Chief Justice William H. Rehnquist; **Pages H1686–87**

Approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower: S.J. Res. 28, to approve the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower, by a yea-and-nay vote of 411 yeas with none voting ''nay'', Roll No. 100—clearing the measure for the President;

Pages H1687–88, H1703–04

Glendo Unit of the Missouri River Basin Project Contract Extension Act of 2005: S. 592, to extend the contract for the Glendo Unit of the Missouri River Basin Project in the State of Wyoming—clearing the measure for the President; **Pages H1688–89**

Amending the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas: H.R. 2341, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas; **Pages H1689–90**

Law Enforcement and Phone Privacy Protection Act of 2006: H.R. 4709, amended, to amend title 18, United States Code, to strengthen protections for law enforcement officers and the public by providing criminal penalties for the fraudulent acquisition or unauthorized disclosure of phone records, by a yea-and-nay vote of 409 yeas with none voting ''nay'', Roll No. 101; and **Pages H1690–94, H1704**

Authorizing United States participation in, and appropriations for, the United States contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund: H.R. 4916, to authorize United States participation in, and appropriations for, the United States contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund. **Pages H1698–H1700**

Recess: The House recessed at 3:40 p.m. and reconvened at 6:30 p.m. **Page H1700**

Committee Resignation: Read a letter from Representative Mollohan wherein he resigned from the Committee on Standards of Official Conduct, effective today. **Page H1701**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration of the measures will resume tomorrow, April 26th:

Supporting the goals and ideals of National Cystic Fibrosis Awareness Month: H. Con. Res. 357, to support the goals and ideals of National Cystic Fibrosis Awareness Month; and **Pages H1695–96**

Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby: H. Con. Res. 349, to authorize the use of the Capitol Grounds for the Greater Washington Soap Box Derby. **Pages H1696–98**

Senate Message: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H1683, H1686.

Senate Referrals: S. Con. Res. 85 was held at the desk.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages H1704, H1704–05. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at midnight.

Committee Meetings

SAVING AMERICA'S RURAL HOUSING ACT OF 2006

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on H.R. 5039, Saving America's Rural Housing Act of 2006. Testimony was heard from Russell T. Davis, Administrator, Rural Development Housing and Community Facilities Programs, USDA; and public witnesses.

YUCCA MOUNTAIN

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled ''Yucca Mountain: Broken Management, Broken Quality Assurance, Broken Project.'' Testimony was heard from the following officials of the Department of Energy: Paul Golan, Acting Director, Office of Civilian Radioactive Waste Management; and Gregory Friedman, Inspector General; Margaret Federline, Deputy Director, Office of Nuclear Material Safety and Safeguards, NRC; and Jim Wells, Director, Natural Resources and Environment, GAO.

A NEW ASSESSMENT OF IRAQ

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled ''A New Assessment of Iraq.'' Testimony was heard from David M. Walker, Comptroller General, GAO.

STATE OF INTEROPERABLE COMMUNICATIONS

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science and Technology held a hearing entitled ''The State of Interoperable Communications: Perspectives on Federal Coordination of Grants, Standards and Technology.'' Testimony was heard from the following officials of the Department of Homeland Security: Tracy A. Henke, Assistant Secretary, Office of Grants and Training; and David G. Boyd, Director, Office for Interoperability and Compatibility, both with the Directorate of Preparedness; the following officials of the Department of Commerce: John Kneuer, Acting Assistant Secretary, National Telecommunications and Information Administration; and Dereck Orr, Program Manager, Public Safety Communications System, National Institute of Standards and Technology; Kenneth P. Moran, Director, Office of Homeland Security, FCC; the following officials of the Department of Justice: Carl Peed, Executive Director, Office of Community Oriented Policing Services; and John Morgan, Assistant Director, Science and Technology, National Institute of Justice; and public witnesses.

NETWORK NEUTRALITY

Committee on the Judiciary: Task Force on Telecom and Antitrust held an oversight hearing on Network Neutrality: Competition, Innovation and Nondiscriminatory Access. Testimony was heard from public witnesses.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 5020, 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, equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report accompanying the resolution may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 26, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the state of the biofuels industry, 10 a.m., SD–106.

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2007 for National Guard and Reserve, 10 a.m., SD–192.

Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Government Accountability Office and other issues, 10:30 a.m., SD–138.

Subcommittee on Commerce, Justice, Science and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the National Aeronautics and Space Administration, 2 p.m., SD–192.

Committee on Commerce, Science, and Transportation: Subcommittee on Technology, Innovation, and Competitiveness, to hold hearings to examine fostering innovation in math and science education, 10 a.m., SD–562.

Subcommittee on Global Climate Change and Impacts, to hold hearings to examine certain marine and terrestrial systems, 2:30 p.m., SD–562.

Committee on Environment and Public Works: business meeting to consider the nominations of Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration, Department of Transportation, and James B. Gulliford, of Missouri, to be Assistant Administrator for Toxic Substances, and William Ludwig Wehrum, Jr., of Tennessee, to be an Assistant Administrator, both of the Environmental Protection Agency, and a proposal to amend Committee Rule 7(d) relative to the naming of public buildings and facilities, 9:30 a.m., SD–628.

Committee on Finance: to hold hearings to examine authorizations of customs and trade functions, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine United States-India atomic energy cooperation, focusing on strategic and nonproliferation implications, 9:30 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine ensuring early diagnosis and access to treatment for HIV/AIDS, focusing on how federal funding is being distributed to provide AIDS drugs and HIV testing opportunities in the United States, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine the future of the music industry in the digital radio revolution, focusing on parity, platforms, and protection issues, 9:30 a.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the reauthorization of the Finance and Entrepreneurial Development programs administered by the Small Business Administration, 10:30 a.m., SR–428A.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing to review the Federal Crop Insurance Program, 11:30 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Energy and Water Development, and Related Agencies, on Oversight of Reform of the DOE Nuclear Weapons Complex, 10 a.m., 2362B Rayburn.

Subcommittee on Foreign Operations, Export Financing, and Related Programs, on USAID, 10 a.m., 2359 Rayburn.

Subcommittee on Science, the Departments of State, Justice, Commerce, and Related Agencies, on Bureau of Alcohol, Tobacco, Firearms and Explosives, 10 a.m., H–309 Capitol.

Committee on Armed Services, Subcommittee on Military Personnel, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 1 p.m., 2118 Rayburn.

Subcommittee on Strategic Forces, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 11:30 a.m., 2212 Rayburn.

Subcommittee on Tactical Air and Land Forces, to mark up H.R. 5122, National Defense Authorization Act for Fiscal Year 2007, 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce, hearing entitled "Gulf Coast Recovery: Facing Challenges and Coming Back Stronger in Education," 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up the Communications Opportunity, Promotion, and Enhancement Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises, hearing entitled "America's Capital Markets: Maintaining Our Lead in the 21st Century," 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled "Title Insurance: Cost and Competition," 2 p.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled "Transit Zone Operations: Can We Sustain Record Seizures and Declining Resources," 2 p.m., 2203 Rayburn.

Subcommittee on Federal Workforce and Agency Organization, hearing entitled "Adding a Real Estate Investment Trust (REIT) Index Option to the Thrift Savings Plan: Considering the Views and Advisory Role of the Employee Thrift Advisory Council (ETAC);" followed by a markup of H.R. 1578, Real Estate Investment Thrift Savings Act, 2 p.m., 2154 Rayburn.

Committee on Homeland Security, to mark up H.R. 4954, SAFE Port Act, 10 a.m., 311 Cannon.

Committee on International Relations, hearing on Iraq: Update on U.S. Policy, 11:30 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Human Rights and International Operations, hearing on the Endangered Children of Northern Uganda, 2 p.m., 2200 Rayburn.

Subcommittee on the Middle East and Central Asia, to continue hearings on U.S. Policy in Central Asia: Balancing Priorities (Part II), 2 p.m., 2255 Rayburn.

Subcommittee on Western Hemisphere, hearing on U.S.-Mexico Relations, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, oversight hearing on the Department of Justice: Executive Office for United States Attorneys, Civil Division, Environment and Natural Resources Division, Executive Office for United States Trustees, and Office of the Solicitor General, 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Water and Power, hearing on the following bills: H.R. 1711, New Mexico Water Planning Assistance Act; H.R. 4750, Lower Republican River Basin Study Act; and S. 166, Deschutes River Conservancy Reauthorization Act of 2005, 3 p.m., 1324 Longworth.

Committee on Rules, to consider H.R. 4975, Lobbying Accountability and Transparency Act of 2006, 2 p.m., H–313 Capitol.

Committee on Small Business, hearing entitled ''Cutting Our Trade Deficit: Can the U.S. Muster Its Diverse Trade Promotion Operations to Make an Impact?'' 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, oversight hearing on the U.S. Rail Capacity Crunch, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, oversight hearing on Corporate Commitment to Hiring Veterans, 10:30 a.m., 334 Cannon.

Joint Meetings

CONSEQUENCES AND RESPONSES TO CHERNOBYL

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the consequences of the Chernobyl nuclear power plant disaster 20 years later, and the response of the affected countries and the international community, after receiving testimony from Stephen G. Rademaker, Acting Assistant Secretary of State, Bureau of International Security and Nonproliferation; H.E. Oleh Shamshur, Ukranian Ambassador to the United States, Kiev; David Marples, University of Alberta Canadian Institute of Ukrainian Studies, Edmonton, Alberta, Canada; and Pablo Rubinstein, New York Blood Center, and Kathleen Ryan, Chernobyl Children's Project International, both of New York, New York.

Next Meeting of the SENATE

9:30 a.m., Wednesday, April 26

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of H.R. 4939, Emergency Supplemental Appropriations; that at 12 noon, Senate proceed to a vote on the pending Gregg Modified Amendment No. 3594, to be followed by a vote on the pending Reid Amendment No. 3604.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 26

House Chamber

Program for Wednesday: Consideration of suspensions: (1) H. Con. Res. 365—Urging the Government of China to reinstate all licenses of Gao Zhisheng and his law firm, remove all legal and political obstacles for lawyers attempting to defend criminal cases in China, including politically sensitive cases, and revise law and practice in China so that it conforms to international standards; and (2) H.R. 282—Iran Freedom Support Act. The House will also consider H.R. 5020—Intelligence Authorization Act for Fiscal Year 2007 (Subject to a Rule).

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