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House of Representatives

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. CAMPBELL of California).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 13, 2006.

I hereby appoint the Honorable JOHN CAMPBELL to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

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

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

HATE CRIMES

Mr. BACA. Thank you very much, Mr. Speaker. The topic I want to talk about this morning is hate crimes. As immigration debate has intensified, white supremists, neo-Nazis, and other racists have increased their efforts to spread the racist message. White supremists have not simply expressed racist convictions but have urged others and white Americans generally to fight back against perceived invasion of white United States by Hispanics from Mexico. The rhetoric has grown increasingly by radicals, and their success is spreading and has been coupled with a rise in hate crimes across our country. And I state, across the country.

Police reports document a growing number of acts of violence by far right extremists against Hispanics regardless of their status as citizens, whether they are profiling them, making remarks, creating different kinds of attitude and atmosphere and hate. The Anti-Defamation League, a nonprofit that fights anti-Semitism and other biases, put out a report last month that said hateful and racist rhetoric aimed at Latino immigrants had grown to a level unprecedented in recent years.

The report detailed numerous examples of hate crimes, including two men in Tennessee who were sentenced to prison in December for shattering a window and painting Nazi symbols in a local Mexican market. Near Houston, two white teenagers were arrested in April accused of beating a Latino youth and sodomizing him with a pipe. Days later on Long Island, a white teen was accused of threatening two Latinos with a machete and a chain saw. Police say ethnic slurs were used in each case.

We must condemn these kind of acts and work to promote a unified America, work to promote a unified America. Even the President has warned us of the dangerous rhetoric being used in discussions on immigration. During his speech last month he noted, ''America needs to conduct this debate on immigration in a reasonable and respective tone. We cannot build a unified country by inciting people to anger or playing on anyone's fear or exploiting the issue of immigration for political gains.'' And I state, exploiting it for political gains.

The white supremists are employing sophisticated techniques to spread their message over the Internet including blogs, chat rooms, and racist and violent video games. And as you can see by the poster out here, Border Patrol, I recently heard about a racist game distributed freely on the Internet called the ''Border Patrol'' that encourages players to shoot at immigrants as they cross the United States, as you can see right here. These games first surfaced in the year 2002, but have come up once again and aimed at immigration debate.

The Border Patrol games. In the game the Border Patrol, Mexican Americans are incarcerated and presented with disgusting and harmful stereotypes. The game does not present them as hard-working individuals who come to this country, like any other who has come to this country before, to build better opportunity. This country is built on immigrants, and many individuals come here for that reason, not for the reason displayed in this Border Patrol display that we have out here.

People have come to contribute to our country and will continue to come to contribute to this country because they believe in America and its principles and what it stands for. Instead, you can see from the poster that Mexican American immigrants are labeled as bandoleer-wearing Mexican nationalists, tattoo-touting drug smugglers, and pregnant breeders who must be kept out at any cost.

In the second poster, as you can see out here, Border Patrol 2, as you can see by the second poster the object of the Internet game Border Patrol is to shoot Mexican immigrants as they try to cross the borders into the United States. Here, again, we are talking about hate crimes, attitudes and behavior by individuals. Here, a family is being targeted as they rush past a sign that reads, ''Welcome to the United States.'' The sign contains the American flag in which the stars representing 50 states have been replaced with a Jewish Star of David, and a small sign that appears below that says, ''Welfare Office'' with an arrow.

Printed on recycled paper.

These games are not only obscene, it incites anger and violence in the minds of children and creates attitude and behavior changes. Psychologically then people begin to think in terms of hating anyone of color. And when you hate people of color, you demonstrate hate and anger. The fact that the national immigration debate is fueling their efforts in is downright scary.

Border Patrol is one of several racist computer games that hate groups are currently offering for sale or download on the Internet. Other games like Ethnic Cleansing, Drive By 2, and African Detroit Cop were created to further racism, anti-Semitic, and other opinions.

These images on poster number three is Save The Last Dance. This image contains an altered movie poster. The actual film featured an interracial romance between teenagers. As you note in the version of this poster, the African-American male is depicted by a gorilla. The poster also spreads a traditional anti-Semitic attack that blames Jews for controlling the American media and suggests that a film about interracial tolerance and mutual respect is somehow Jewish propaganda. The most obvious message of this poster is that the way to deal with members of minority groups, as well as whites who have relationships with them, is with violence.

It only takes one individual with hate in his heart to act on these notions. For us, that is a very real concern as the national discussion on immigration continues to gain momentum. We cannot have this debate at the expense of the safety of immigrants in our communities and total Americans who are here in the United States.

I understand that not everyone in Congress agrees with a more inclusive vision of the American family or the American dream to be here in the United States and to have what everybody else has and to build a better life for themselves. Instead of recognizing the needs for real comprehensive immigration reform, some Republicans have viewed this issue to play on people's fear and exploit the debate for their political gains. I hope that people understand what is going on now and at the national level.

EXTREMISTS DECLARE 'OPEN SEASON' ON IMMIGRANTS: HISPANICS TARGET OF INCITEMENT AND VIOLENCE

OVERVIEW

As the public debate over immigration reform has taken center-stage in American politics and public life, white supremacists, neo-Nazis and other racists have declared ''open season'' on immigrants and attempted to co-opt and exploit the controversy by focusing their efforts—and their anger—on the minority group at the center of the controversy: Hispanics.

As a result, to a level unprecedented in recent years, America's Latino immigrant population has become the primary focus of hateful and racist rhetoric and extreme violence—aided, abetted and encouraged by America's white supremacist and racist haters.

Spurred in recent weeks by the debate on Capitol Hill and the groundswell of grassroots activism in support of America's immigrant community, extremists have become increasingly emboldened by, and fixated on, the controversy over immigration policy, encouraging their supporters to capitalize on the issue by encouraging antiimmigrant activism, and even violence against all Hispanics.

While white supremacists have for many years attempted to exploit rising anti-immigration sentiments in the U.S., the level and intensity of their attacks against Hispanics has reached dangerous new highs, with right-wing extremists joining anti-immigration groups, distributing anti-immigrant propaganda and holding frequent antiimmigration rallies and protests.

As a result, Hispanics, regardless of their citizenship or immigration status, increasingly are becoming the targets of hatred and violence from hardcore white supremacists.

Racists ranging from neo-Nazis to Klansmen to racist skinheads are among the most active anti-immigration activists in the country. Motivating their actions is the core conviction of modern white supremacist ideology: That the white race itself is threatened with extinction by a ''rising tide of color'' controlled and manipulated by Jews.

This following report examines the recent record of extreme rhetoric and violence from white supremacist groups and their followers that has played out against the backdrop of the immigration debate in America.

WHITE SUPREMACIST ANTI-IMMIGRATION PROTESTS

White supremacists have taken to the streets in a deliberate attempt to attract publicity and to exploit and co-opt the national discussion on immigration for their own hateful purposes. Viewing immigration as a ''wedge'' issue through which they believe they can foist their racist and anti-Semitic views on the American public, and attract recruits and attention for themselves, white supremacists have organized a number of rallies and protests with anti-immigration and anti-Hispanic themes.

Many of the extremist events have taken place in southern states. There, white supremacists hope to exploit anti-immigration sentiment that has risen as a result of a significant influx of Hispanic immigrants, primarily agricultural workers, into areas of the South that had never before had a substantial Hispanic population.

Demonstrations, rallies and other events taking place in spring 2006 included:

In Seattle, Washington, and Las Vegas, Nevada, members of the neo-Nazi National Vanguard held anti-immigration protests on May 20. On its Web site, the National Vanguard declared that day to be a ''day of protest against George W. Bush's plan to destroy America,'' calling the president's immigration proposals a ''sellout of the nation.'' In Seattle, neo-Nazis appeared along Interstate 1–5, displaying signs for motorists stuck in traffic to read. In Las Vegas, white supremacists held a small rally in front of the federal courthouse.

In Keene, New Hampshire, New England members of the Arkansas-based neo-Nazi group White Revolution held a self-described ''anti-invasion'' demonstration on May 7 to protest ''the invasion of America by illegal non white hordes.'' Members of other white supremacist groups, ranging from the National Socialist Movement to the American Front, also showed up.

In Russellville, Alabama, members of the Alabama chapter of the Indiana-based National Knights of the Ku Klux Klan held an anti-immigration rally on May 6, yelling ''Let's get rid of the Mexicans!'' National Knights leader Ray Larsen was on hand, telling the crowd that gathered that immigrants ''want you out of here because they want this as their land.'' After the rally, the Klansmen burned a cross in a field outside of town.

In Montgomery, Alabama, the neo-Confederate group League of the South and the Coalition against Illegal Immigration together organized an anti-immigration ''Cinco de Mayo'' demonstration on May 5. Promoting the event in his racist and anti-Semitic newspaper First Freedom, Olaf Childress wrote that he planned to be there, ''maybe even with a baseball bat. Already got a placard in mind: MEX GET THE HELL OUT OF MY COUNTRY.'' Childress did show up with such a placard and a baseball bat, telling a local reporter that ''Jewish supremacists'' had a plan to abolish the borders of the U.S. Other signs at the demonstration displayed slogans such as ''multi-culturalism is liberal insanity.'' In Greenville, South Carolina, the racist Council of Conservative Citizens held an anti-immigration demonstration on April 29 in front of the offices of Republican Congressman Lindsey Graham, where they burned Mexican flags and displayed signs such as ''More INS, Less IRS,'' ''Vote for Pedro to Go Home,'' and ''I Didn't Fight in Iraq for Illegal Aliens.''

White supremacists also showed up to counter events organized by immigration and human rights activists, in particular the May 1 ''Day without Immigrants'' events organized around the country by immigrant rights activists. In San Angelo, Texas, members of the Empire Knights of the Ku Klux Klan showed up to counter local events. In Dayton, Ohio, half a dozen members of the neo-Nazi National Socialist Movement appeared in Nazi uniforms at a pro-immigration march to protest, in their words, ''the illegal wetback scum and Shabbat goy mud lovers.'' In Madison, Wisconsin, in April, members of the neo-Nazi New Order passed out literature at an immigrant rights event at the capitol.

Even where white supremacists have not shown up in person, they have plastered communities around the country with crude anti-Hispanic and anti-immigration fliers. In Bakersfield, California, for example, one community was littered with National Vanguard fliers that read ''Civilization: One Job Mexicans Won't Do.'' Residents of Pasadena, Texas, discovered racist fliers that urged people to burn down the homes of people thought to be illegal immigrants.

BORDER VIGILANTE GROUP EVENTS

Anti-immigration border vigilante groups have also organized anti-immigrant events around the country this spring. The largest border vigilante group, the Minuteman Project, held a reprise in April of their 2005 vigilante border patrols along the Arizona-Mexico border, and followed up with a caravan that staged anti-immigration events across the country. One Minuteman event in Birmingham, Alabama, was organized by Mike Vanderboegh, a former militia leader. At the rally, an attendee distributed copies of Olaf Childress's racist and anti-Semitic newspaper, First Freedom. Other anti-immigration groups held rallies from Arizona to Minnesota.

Anti-immigration groups have also turned to publicity stunts. The Minutemen, for example, declared on May 9 that they would start building their own ''border security fence'' on private property along the border with Mexico, unless the federal government itself deployed the military or erected such fencing. The Minutemen claimed that they had received nearly $200,000 in donations to build such a fence. Other border vigilante groups have already begun or announced similar projects.

THE RHETORIC: DECLARING ''OPEN SEASON'' ON IMMIGRANTS

White supremacists have not simply expressed racist convictions, but have urged each other and white Americans generally, to ''fight back'' against the perceived invasion of the ''white'' United States by Hispanics from Mexico.

The rhetoric in such pronouncements has grown increasingly radical. ''Beaner Brown Supremacist Militias of Latino Communist immigrants firmly intend to conquer [the southwest],'' suggested a topic heading on the white supremacist Legion of Saints message board recently. ''Will White Americans sit back, watch it happen & let them do it? Or will White Americans 'remember the Alamo!?' ''

Such voices are unfortunately hardly isolated. Here are just a few recent examples:

Alabaman Larry Darby, a Holocaust denier and candidate for Alabama attorney general, recently stated in a May 3 interview on Alabama Public Television that he wanted National Guard troops on the border with orders to ''shoot to kill, absolutely . . . we are at war, we are being invaded by a foreign country, we are at war.''

James Wickstrom and Frances Farrell, the virulently racist and anti-Semitic hosts of the ''Yahweh's Truth'' radio program, blamed Jews for the immigration ''invasion'' on his May 3 broadcast. Wickstrom claimed that pro-immigrant marches were being organized and financed by ''communist Jews'' and the ''communist Catholic church,'' and that Jewish organizations are ''criminal accomplices of these illegal aliens.'' Farrell suggested that ''one attack on one of their marches with automatic weapons or even just rifles will put a stop to them and the time's coming when this is going to happen.''

One member of an Aryan Nations faction, ''Pastor'' Jay Faber of Pennsylvania, claimed on April 10 on the Aryan Nations Internet forum that ''I already know they will not throw one of these stumpy little brown beasts out of here, so for the amount of guats in my area, I have at least 10 rounds of ammunition for each of them.''

Aryan Nations faction leader August Kreis in October 2005 claimed on his Web site that ''this infestation of cockroaches need deportation or extermination!'' If legal means of ''stopping this rising tide'' were not enough, ''then these brown squat monsters should begin to turn up dead all across Amerika . . . We now have another game animal to add to our list of available targets for our favorite pastime, hunting, and we'll declare permanent open season on these dirty wetbacks! From what I have heard through the grapevine the Skinheads and Klans across the country are more than prepared for this type of action. I say let's play by state and see which state can claim the most kills and let the jewsmedia whores keep score!''

Oregon National Socialist Movement leader Jim Ramm wrote in June 2005 that ''the browner invasion is much like a cancerous tumor that should of [sic] been removed. But instead, it was allowed to grow and infect other organs . . . as this brown disease rages out of control the white patient faces racial death.''

Kevin Strom, leader of the neo-Nazi National Vanguard, gave a shortwave radio broadcast in June 2005 in which he claimed that ''These Mestizo invaders are so different from us that by mixing with them or being dispossessed by them we will cease to live, we will cease to be ourselves or have a place to exist to support the lives of our future generations. And that is the crucial reason why this invasion must be stopped.''

''AliisioRex,'' a member of the neo-Nazi web forum Stormfront, wrote in July 2005 that ''they are barbarians, they are our enemies, they want to destroy our civilization and we have to fight them. We need to organize better and be more open activists; otherwise, I only see race war in the future.'' Another Stormfronter, ''Strasser,'' wrote in November 2005 that ''White minorityhood on a national level is a very real possibility. How can White folk tolerate this? Do they care that most minority populations become a cultural hostage? What is the interest in having their children a minority on a mestizo dominated campus? Mestizo immigration is going to force White America to make some very important decisions.''

Such statements appear routinely on white supremacist Web sites and in white supremacist literature.

Perhaps the white supremacist most active in explicitly advocating extreme violence against Hispanics is New Jersey racist radio talk show host Hal Turner. He reserves his most extreme statements to urge violence against illegal immigrants from Mexico:

May 3, 2006: Following the May 1 demonstrations, Turner posted to his Web site a 145-page ''ethnic cleansing manual'' that he said explained ''in graphic detail why white people need to prepare to ethnically cleanse this nation and how to do it using force and violence.''

October 31, 2005: ''Slowly but surely we are headed toward the solution that I have been advocating for years: kill illegal aliens as they cross into the U.S. When the stench of rotting corpses gets bad enough, the rest will stay away.''

October 11, 2005: ''For years I have been publicly advocating on my radio show and this web site, that Mexican illegal aliens be shot dead as they cross into the U.S. illegally . . . I plant the seeds verbally and the seeds grow in the minds of others . . . I am proud to advocate even more killings!''

July 15, 2005: ''I once again advocate extreme violence against Mexicans . . . Once they're dead, their heads should be cut off and put on pike poles as a warning to others.''

May 17, 2005, responding to news that a restaurant owned by the mayor of Denver had employed an illegal alien who allegedly murdered a police officer: ''. . . his policy of affording sanctuary to other illegal aliens makes Mayor John Hickenlooper worthy of being killed. I sincerely hope that someone takes a rifle with a scope and puts a bullet through [his] head.''

May 15, 2005: ''I advocate extreme violence against illegal aliens . . . I think it would be terrific to trap them by their ankles in steel bear traps then beat them to death when you return and find them in the trap . . . Oh, if any American sides with the illegals—like a big mouth politician or a politically correct, ass-kissing local sheriff, lawyers, judges, or the like—it would be a real public service to kill them too!''

ANTI-IMMIGRATION GROUPS

The violent rhetoric has not come only from explicitly white supremacist groups, but also from members and leaders of anti-immigration groups. Anti-immigration activist Fred Puckett, the leader of ''Minuteman of One,'' was caught on camera in late April telling an undercover reporter for a local Phoenix television station that ''once you shoot a couple of these sons of bitches, they'll think twice.''

Perhaps most strikingly, Arizona anti-immigration activist Laine Lawless, who has been associated with several border vigilante groups and eventually started the group Border Guardians in 2005, sent an e-mail in April to a prominent Ohio member of the neo-Nazi National Socialist Movement, Mark Martin, asking him to pass its contents on to his white supremacist contacts. Martin did so, forwarding the message to several white supremacist forums on Yahoo and Usenet in early April, but unfortunately for Lawless, Martin ignored the part of her message which read, ''Please don't use my name,'' and instead forwarded the message in full.

Lawless's e-mail, titled, ''how to get rid of them,'' urged a variety of intimidating, harassing, and even illegal and violent tactics to intimidate immigrants into leaving the U.S., including cutting down the broadcast tower for a Spanish language radio station near Phoenix and stealing money from illegal aliens. ''I hear the red necks in the South are beating up illegals as the textile mills have closed,'' she wrote. ''Use your imagination.''

Lawless's suggestions were consistent with previous statements she had made, including a late March posting to an anti-immigration Internet forum in which she wrote that ''my Southern friend tells me the rednecks in the South just beat [illegal aliens] up. Unfortunately, there are too many of them to use that tactic there any more.''

Earlier, in February, Lawless posted to a Texas Minuteman message forum that ''We need borders to . . . preserve our culture, instead of accepting any kind of flotsam and jetsam that seeks to float into our territory.''

Mark Martin himself seemed willing to personally engage in intimidating tactics. In early May, he admitted in a Google Internet forum that he and another member of the National Socialist Movement had passed out racist fliers in Covington, Ohio, at houses ''surrounding a suspected illegal Mexican jobsite.'' The two neo-Nazis also approached workers at the jobsite and demanded to see identification from them. When workers refused, Martin allegedly told one of them that he ''was an illegal, wetback who was stealing American jobs and . . . spreading disease.'' Workers called the police, who told the neo-Nazis to leave or be charged with harassment.

THE VIOLENCE: GROWING NUMBER OF ASSAULTS

Not surprisingly, white supremacists have not limited their actions to hateful or even violent rhetoric. The past several years have seen a growing number of violent assaults and attacks by white supremacists against legal and illegal Hispanic immigrants, as well as Hispanic American citizens. The crimes have ranged from vicious vandalism to brutal assaults and murders. In most cases, the perpetrators did not even know the victims, but targeted them solely because of their appearance.

Only a minority of hate crimes are committed by ideological extremists, but such extremists have committed some of the worst hate crimes in America. The increased willingness of such white supremacists, especially racist skinheads, to attack Hispanics represents a dangerous and disturbing trend.

Here are some of the hate crimes committed by white supremacists against Hispanics in the U.S. in the past three years.

April 29, 2006, New York. A teenager was arrested in East Hampton, Long Island, after he allegedly threatened a Hispanic teenager with a machete and chased a second teenager with a chain saw while shouting racial epithets. Described by classmates as a skinhead, the alleged perpetrator had previously posted to the Internet photographs of himself posing as a Nazi and adorning a shed with swastikas. He and two others, whom police have allegedly linked to the incident, were suspended from school.

April 22, 2006, Texas. David Henry Tuck. 18, and Keith Robert Turner, 17, were arrested and charged with aggravated sexual assault in the brutal attack of a teenage Hispanic

high school student in Houston. The victim was beaten and sodomized with a plastic pipe from a patio umbrella, then kicked in the head with steel-toed boots. He was left with head wounds and major internal injuries. The victim had bleach poured on him and was burned with cigarettes. Witnesses allegedly stopped the attackers from carving something onto the victim's chest. Tuck is a self-described skinhead who sports Nazi tattoos. In 2003, at age 14, Tuck and two adult white supremacists were implicated in the racially motivated beating of a Hispanic man, according to court records and witnesses. The two adults received federal and state sentences for their role; juvenile records are not public in Texas.

January 2006, California. Ryan Nicholas Newsome, a member of the Another Order white supremacist gang, pleaded no contest on January 20, 2006, to assault charges in Yuba County. He pleaded no contest to assault with force likely to cause great bodily injury with a criminal street gang enhancement as a result of an August 2005 incident, in which he and an associate allegedly assaulted a Hispanic man.

December 2005, Tennessee. A Blount County judge on December 1, 2005, sentenced Jacob Allen Reynolds and Thomas Matthew Lovett to four years in prison and six months in prison (and two and a half on probation) respectively after they pleaded guilty to vandalizing a Mexican food store in Maryville on May 7, 2005, causing over $17,000 in damages. The men allegedly broke windows and a refrigerator, vandalized a car, and spraypainted Nazi symbols on the store. Three others charged still await trial.

November 2005, Texas. Christopher Chubasco Wilkins, a prison escapee, was recaptured on November 5 and charged with murdering three men in the Fort Worth area during his month-long escape. Wilkins, who is according to police a self-proclaimed white separatist heavily tattooed with a variety of white supremacist tattoos. including a portrait of Adolf Hitler, is alleged to have killed two Hispanic men and one African-American man by gunshots to the head. Police are examining a possible racial motive. Wilkins had been living at a halfway house in Houston, after being released from federal prison, and left the house without permission.

November 2005, Tennessee. A federal judge sentenced former Klansman Daniel James Schertz to 14 years in prison for selling pipe bombs to a person he thought would use them to kill Mexican and Haitian immigrants. The person turned out to be an undercover informant. Schertz, a former corrections officer and member of the North Georgia White Knights of the Ku Klux Klan, pleaded guilty to making five pipe bombs to be used to blow up a bus carrying Mexican workers. Later, Schertz expressed gratitude that the government had stopped him, but said, ''We should have people here who know how to speak English. They are over here illegally and nothing gets done to them.''

October 2005, California. A Sacramento man and two other suspects who allegedly attacked and injured six people in a hate-crime spree at two local parties were arrested in the early morning of October 16, 2005. Ryan Marino, 22, posted bail from El Dorado County Jail later Sunday after being charged on four counts of assault with a deadly weapon with an extenuating circumstance of a hate crime. He allegedly used brass knuckles after shouting epithets against Hispanics and proclaiming ''white pride'' at a home Sunday evening. Party attendees later identified Marino, who police said crashed the parties with the intent of ''beating up Mexicans.''

September 2005, Utah. A federal judge on September 27, 2005, sentenced Lance Vanderstappen to 20 years in prison for trying to kill a Hispanic man while in a holding cell in July 2005 awaiting sentencing for a racketeering charge. The victim had stab wounds to his neck, throat and chest. In court, Vanderstappen, a member of the notorious Soldiers of Aryan Culture white supremacist prison gang, admitted that he targeted the victim because he was Hispanic, saying ''I intentionally tried to kill him.'' Vanderstappen pleaded guilty to attempted murder.

September 2005, New Jersey. Joseph Schmidt of Little Egg Harbor received a sentence of three years' probation in September 2005 after pleading guilty in June to two counts of bias intimidation, two counts of aggravated assault, two counts of criminal mischief, two counts of possessing weapons for an unlawful purpose, and simple assault. The charges were related to a string of attacks on minorities, primarily Hispanics, in Ocean County in 2003. Schmidt, a member of the white supremacist skinhead group East Coast Hate Crew, received a light sentence because he had cooperated with authorities in prosecuting other members of the group. Three others involved in the incident pleaded guilty and one was acquitted. Others have yet to go to trial.

July 2005, California. Four people, three men and one woman, were arrested in Riverside, California, on July 11–12, 2005, charged with making terrorist threats with a hate crime enhancement. Some of the people arrested had ''white pride'' tattoos, according to authorities, who also seized a variety of white supremacist items. According to police, the suspects drove to a home and challenged several Hispanics there to a fight, threatening them and using racial slurs. A similar episode occurred the next night. According to police, the people arrested claimed no particular group affiliation but said they were proud to be ''members of the Aryan race.''

May 2005, Arizona. White supremacist Steve Boggs was sentenced to death on May 13, 2005, for murdering three fast-food workers in Mesa, Arizona, in 2002 during a robbery. He had been convicted of three counts of first-degree murder and various robbery, burglary and kidnapping charges. Boggs shot the victims, a Native American and two Hispanics, then stuffed their bodies into a freezer at the store. Boggs wrote to a Mesa police detective that he had wanted to ''rid the world of a few needless illegals. I don't feel sorry.'' Another defendant still awaits trial. According to prosecutors, the two men were members of a small hate group they called the Imperial Royal Guard.

May 2005, Texas. Two racist skinheads pleaded guilty on May 5, 2005, to a racially motivated beating of a Hispanic man in January 2003. Douglas Brannan of Hockley and Mark Fletcher Smith of Spring, both sporting many white supremacist tattoos, were convicted of civil rights violations. The two men, and a teenager, had attacked a Hispanic customer at a gas station, beating him and kicking him with steel-toed boots until he was unconscious while shouting ''border jumper,'' ''spic,'' and ''we kill people like you.'' Brannan received a five year sentence and Smith a three year sentence.

December 2004, California. Ten racist skinheads from Redlands and Riverside attacked three Hispanics in the parking lot of a topless bar on December 29, 2004. According to police, they assaulted the men while yelling racial slurs at them and identifying themselves as members of skinhead groups. No arrests have yet been made.

November 2004, Wisconsin. Mark Lentz of Sheldon, Wisconsin, received a three-month sentence and two years of probation, as well as 40 hours of community service, after pleading no contest to a misdemeanor hate crime. Lentz was the last of four racist skinheads to be sentenced for luring a Hispanic man outside a bar in Waukesha, then hitting him on the head with a bottle and repeatedly kicking him. Mark Davis II of Watertown earlier received a 3½ year sentence and two years of extended supervision, Kasey Bieri received an 18-month jail term and three years of probation, and Jeffrey Gerloski received four months in jail and two years probation.

June 2004, Texas. Ranch Rescue member Casey Nethercott was convicted by a Texas jury of felony firearm possession in connection with an attack on two illegal immigrants from El Salvador outside of Hebbronville, Texas, in 2003. He was sentenced to five years in prison. The two immigrants (now in the U.S. legally) successfully sued Nethercott and others involved in the incident for a total judgment of $1,450,000.

November 2003, Idaho. Aryan Nations member Zachary Beck was arrested for felony malicious harassment as a hate crime for attacking a Hispanic male in the parking lot of a supermarket after asking if the victim was Mexican. While awaiting trial on that charge, he was later re-arrested after allegedly shooting at a police officer in Longview, Washington, during a standoff. He still awaits trial on the alleged crimes.

June 2003, California. Two racist skinheads, Waylon Kennell and James Grlicky, were convicted in separate trials for the brutal beating of a Mexican migrant worker in San Diego in the fall of 2003. Grlicky was convicted of attempted murder, conspiracy, robbery, assault and battery, with a hate crime enhancement. Kennell was convicted of assault causing great bodily injury and battery with serious bodily injury. According to the prosecutor in the case, the two went hunting for a ''beaner'' to beat and rob. They kicked the victim in the head around a dozen times, including ''curbstomping'' him—kicking down on the back of the head when the victim's open mouth is placed against a concrete curb (emulating a scene in the movie ''American History X''). The victim suffered brain damage as a result of the attack.

May 2003, New Hampshire. Aryan Nations member Russell Seace, Jr., of Hampton Beach, pleaded guilty on May 27 to being a felon in possession of a firearm as part of a plea bargain with the federal government. In exchange for money, Seace had agreed to kill a Hispanic inmate after he was released, in retaliation for an alleged attack by the Hispanic man on a white prison inmate.

February 2003, Oregon. A Mexican landscaper in Beaverton was beaten with a baseball bat, robbed, and told to ''go back home,'' by a man with a shaved head and a coat with ''KKK'' on it. Baseball bats are one of the weapons preferred by racist skinheads. Authorities posted a reward but were unable to make an arrest in the crime.

ANTI-IMMIGRATION ACTIVISTS AND WHITE SUPREMACISTS

It is not surprising that the most radical anti-Hispanic sentiment is coming from white supremacists; however, there are other groups joining the anti-Hispanic crusade. With mounting public awareness and concern over illegal immigration in America, the issue is also being exploited by extreme anti-immigration activists, some of whom are reaching out to white supremacists. The rhetoric of these activists is largely aimed at Mexicans, not other illegal aliens, and frequently does not distinguish between Mexicans and Mexican-Americans.

This extreme end of the anti-immigration movement includes both anti-Hispanic hate groups masquerading as immigration reform

groups as well as vigilante border patrol groups, who conduct armed patrols along the borders of the United States. Several border vigilantes have been arrested on weapons charges. Casey Nethercott, for example, associated with border vigilante groups such as Ranch Rescue and the Arizona Guard, is currently serving a five-year prison term on weapons charges stemming from a 2003 incident in which he and others confronted and assaulted two Salvadorans when on ''patrol.''

The vigilante border patrol groups have operated for several years but have expanded greatly in the past twelve months, spurred on by the media attention given to the so-called ''Minuteman Project.'' In April 2005, Chris Simcox, who founded the Arizona-based Civil Homeland Defense, a border vigilante group, and Jim Gilchrist, based in California, joined forces to create the Minuteman Project, whose purpose was to gather thousands of volunteers for a month-long watch for illegal border crossers in Arizona. The project, which was highly publicized among right-wing extremists and white supremacists, attracted far fewer volunteers, many of them armed, during its first week. However, the publicity generated by the event resulted in numerous Minuteman chapters and spinoffs forming across America, even in states such as New York, Virginia, Vermont, and Illinois. These groups use the same radical rhetoric: that the United States is being ''invaded'' by Mexicans who must be stopped.

That message was clear at a three-day summit, ''Unite to Fight Against Illegal Immigration,'' held in Las Vegas, Nevada, in May 2005. More than 400 anti-immigration activists gathered at the event to hear speakers describe illegal immigrants as ''the enemy within'' and ''illegal barbarians,'' while suggesting that America was ''at war'' with illegal immigrants and urging people to ''take America back.''

Many of these anti-immigrant extremists have switched their focus from the border to day laborer centers, where they photograph Hispanics whom they assume are illegal aliens. This racial profiling has also occurred at fast food restaurants and other businesses where Hispanics are employed across the United States. White supremacist and anti-government groups continue to express interest and take part in these activities, and their rhetoric has become more and more confrontational.

INTERNET VIDEO GAMES TARGET HISPANICS

Extremists have shown a renewed interest in populating the Internet with links to video games that target

Hispanics, portraying them not as productive contributors to society, but as objects of scorn, derision and hate. Shoot-to-kill video games such as ''Border Patrol,'' a game created in Flash that is easily accessible on the Internet through extremist Web sites, have become increasingly popular among those opposed to immigration and are widely shared among extremists in the United States. This has especially been the case as the national discussion over immigration has gathered force.

In ''Border Patrol''—one of the more popular Flash games available on the Internet through various extremist Web sites—the object is to ''kill'' caricatures of Mexicans as they attempt to cross the border and gain entry to the U.S.

Players control a gun and are charged with killing stereotypical Mexicans. Targets include a ''Mexican nationalist,'' who carries a Mexican flag and a pistol; a ''Drug smuggler,'' wearing a sombrero and carrying a bag of marijuana on his back; and finally a ''Breeder''—a pregnant woman who has two small children in tow. Aside from the virulently anti-Hispanic themes within the game, it also hints at anti-Semitic myths such as ''Jewish control'' of the U.S. through an image where the border is represented by a bullet-ridden sign showing an American flag whose 50 stars have been replaced by a single Jewish Star of David.

Under this sign, another small sign directs the Mexicans to a ''Welfare Office.'' The player ''wins'' when he or she has made 88 kills. The number 88 has significance to neo-Nazis, who use it as shorthand for ''Heil Hitler'' (''H'' is the eighth letter of the alphabet).

''Border Patrol'' was first created in 2002 by the now-defunct website ''Zine 14,'' and was soon being copied and distributed by extremists and others. In March 2003, the neo-Nazi Aryan Nations group and Christian Identity preacher James Wickstrom both linked to copies of this game from the front pages of their Web sites. In recent months, the game has enjoyed a resurgence in popularity, largely due to neo-Nazis trying to capitalize on the national immigration debate. Neo-Nazi leader Tom Metzger posted the game on his Web site, and other extremists have linked to it and promoted it on fringe online discussion groups.

Games, music and cartoons are some of the methods extremist groups rely on as part of their efforts to reach a younger audience and to expose them to their hateful ideas and beliefs. Cartoon-like Flash games are seen as ideal for this task, because they are small and easy to create and share over the Internet, or enclose in an email message. In recent years, extremist groups such as the neo-Nazi National Alliance have also created more sophisticated video games, such as ''Ethnic Cleansing,'' a game available on CD–ROM that also engages in the stereotyping and demonizing of Hispanics. Their aim is to attact unsuspecting users to extremist Web sites, where they can be exposed to the message and goals of the hate groups.

Such games are tools that extremists increasingly use to desensitize people against acts of violence, to portray hate crimes as something to be celebrated, to dehumanize America's Hispanic population and to draw attention to their cause using the new technologies available to them on the Internet.

IT IS TIME TO BRING OUR TROOPS HOME

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

Mr. MCNULTY. Mr. Speaker, when we debated the original Iraq war resolution, the administration told us that Iraq was stockpiling weapons of mass destruction, that there were ties between Saddam Hussein and 9/11, and that Iraq was within a year of having a nuclear capability.

Fast-forward to the deliberations of the 9/11 Commission. They concluded that there were no weapons of mass destruction, no ties between Saddam Hussein and 9/11, and no nuclear capability. Mr. Speaker, these votes weren't 8–4 or 7–5, they were all 12–0 that the very basis for the war did not exist.

When I go back home, Mr. Speaker, and my constituents ask me to summarize where we are in the war on terror, I tell them this: As we approach the fifth anniversary of the worst terrorist attack in the history of our country, we have committed hundreds of billions of dollars in Iraq. More important than that, over 20,000 young Americans have either been killed or seriously wounded going after Saddam Hussein, who did not attack us, while Osama bin Laden, who did attack us, is still alive, free, planning another attack on our country. That, Mr. Speaker, is the very definition of failure in the war on terror. We went after the wrong guy.

But after the invasion, did we have a responsibility to help the Iraqi people build a new government and a new way of life? The answer to that question is yes. And we have fulfilled that obligation. We have helped them through not one, not two, but three elections. It is now time for the Iraqi people to stand up and defend themselves.

There is a general rule of military engagement that says that you do not signal to your enemy what you are going to do in advance. But there are exceptions to every rule, and there are two exceptions to this rule. Number one is that the insurgents in Iraq are using as a recruitment tool the argument that we have no intention of leaving their country and that we are going to steal their oil. And it is working! It is fueling the insurgency.

As for our friends in Iraq, those who want this new government and new way of life, they seem perfectly content to let our soldiers take all of the enemy fire. The problem with security in Iraq is not the system of training, it is the fact that the Iraqis are not stepping forward to defend their own government.

So today, Mr. Speaker, my basic disagreement with the President is this: He says that we should stay in Iraq until the Iraqis declare that they are ready to defend their own country; and I propose that we announce a timetable for withdrawal, start withdrawing our troops, and make our position very clear to the Iraqis: If they want this new government and this new way of life, they have to come forward, volunteer, stand up, and defend it. Mr. Speaker, it is time to bring our troops home.

HATE CRIMES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Texas (Mr. GONZALEZ) is recognized during morning hour debates for 2½ minutes.

Mr. GONZALEZ. Mr. Speaker, I rise today to address the House on an important issue that has already been addressed by my colleague Mr. BACA, and that is the power of words. And that is all we really have here in this chamber, and that is to address one another in a respectful manner and engage in a good faith debate about the merits or demerits of any particular issue.

Unfortunately, words can be harmful and they can incite and be counterproductive, and to be a disservice not just to this institution but to the

American people who are waiting for a good faith debate on the important issue of immigration.

However, this debate has been framed in a certain manner, to appeal probably to that rather unattractive underbelly that is out there in society, and that is bigotry and racism. And that is a true danger. And when I say it is a disservice to this country, it is beyond a disservice. It is going back in time.

A recent article that appeared this Sunday regarding this debate pointed out as follows, and this is so important that it cannot be adequately emphasized:

Most Americans who are in favor of stricter border enforcement are not bigots. Far from it. But some politicians and other public figures see an opportunity to foment hate and hysteria for their own profit. They are embracing a nativism and xenophobia that recall the 1920s when a State Department warning about an influx about filthy and unassimilable Jews from Eastern Europe led to the first immigration quotas, or the 1950s heyday of Operation Wetback when illegal Mexican workers were hunted down and deported.

We are a better Nation than we were in the 1920s, we are a better Nation than we were in the 1950s, but only if we respect what this institution is all about, and that is a good faith based debate on the facts and the figures, and not to appeal to an emotional part of the human spirit that is not to be admired or promoted.

At this time I yield to my colleague, Mrs. NAPOLITANO, from the great State of California.

Mrs. NAPOLITANO. Mr. Speaker, I thank my esteemed colleague, JOE BACA, for taking the lead on this very important issue, and to the gentleman from Texas, CHARLIE GONZALEZ, for yielding to me.

I also find it very disturbing that extremists are using the immigration debate to stir up racial division and hatred. Whether it is in the form of violent anti-immigrant video games, in hate speeches, in racial slurs, in graffiti, in our schools, or in political debate, it is wrong.

I am here to ask you to ask our countrymen to say enough is enough. It is not a moral nor a decent way to treat or speak about our fellow human beings. Along with many of my colleagues, I implore individuals, families, and communities all over the country to stand up against this hatred.

THE BERLIN WALL AND THE WAR ON TERROR

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

Mr. STEARNS. Mr. Speaker, I would like to call the attention of the House to an anniversary that should not pass without reflection. My colleagues, 19 years ago, President Reagan stood in a divided Berlin at the Brandenburg Gate and challenged Mikhail Gorbachev to ''tear down this wall.'' Today, as our brave men and women in the Armed Forces fight the global war on terror, we should remember the determination of President Reagan as he spoke those words in a divided city and the inspiration he brought to the people of Berlin and to the world.

Asked how he felt about the wall, President Reagan called it, quote, an ugly scar on the face of Berlin, a city of culture and history which was celebrating its 750th anniversary when Reagan visited it.

Today we recognize that the ideology of terror is an ugly scar on the face of Islam, and in our struggle against it we should bear in mind the lessons of the Cold War, a struggle that bears a deep resemblance and relevance to the global war on terror we wage today. Like the Cold War and the global war on terror, we face an ideology rather than a hostile state. Like communism, the creed of terror is expansionist, uncompromising, and poses a threat to freedom loving people everywhere.

In waging war against such an ideology, victory cannot be found on a single battlefield. The Cold War stretched from Asia to Africa to the very heart of Europe, just as our struggle today reaches from the Philippines to the mountains of Afghanistan to, as we recently saw, our neighbor Canada. Terrorism will strike wherever freedom reigns, from London to Madrid, to a quiet field in Pennsylvania.

The Cold War proved to be a generational conflict, spanning decades, and the global war on terror may prove an equally daunting task. But as in the Cold War, the fanaticism of our foes leaves no room for negotiation or compromise. The global war on terror is a fight we must win. The stakes are far too high to fail.

At the time of his speech in Berlin, the Soviet news agency called President Reagan's words openly provocative and warmongering, while some sources in the American news media were no kinder. When President Reagan called the Soviet Union an evil empire, many criticized him for his black and white point of view.

These criticisms sound familiar today, but the verdict of history is in. Within a decade of President Reagan's provocative speech, the Cold War ended with freedom's triumph.

Today, each news report of a bombing in which Iraqi women and children are slaughtered is a glimpse of a new evil empire of terror, reminding us that evil is alive in the world and must be opposed, the words of Edmund Burke ring true: ''The only thing necessary for evil to triumph is for good men to do nothing.''

I am proud to say that, as a Nation, we are meeting that challenge, not leaving evil unopposed. Last week we won a major victory with the death of the terrorist mastermind Abu Musab al-Zarqawi. Our Armed Forces and intelligence services deserve congratulations for their fine work, along with the first responders, border agents, and other heroes at home who stand ever vigilant hoping their services will never be called into need.

My colleagues, in a generational struggle like the one we face, we should remember that we are the strongest when we stand together. Fortunately, we do not stand alone. We stand with allies from across the world, including many who have come face to face with terror. As President Reagan addressed his remarks in Brandenburg to the people of Eastern Europe, let us remember that those living under oppression or fear of terrorism will be heartened by the determination we show in this fight.

During his visit to Berlin 19 years ago, President Reagan was struck by the words of a young Berliner who had spray painted on the wall that divided the city: ''This wall will fall. Beliefs become reality.''

America has always been a beacon of hope, a living example of the transformative power of freedom. As the people of Berlin took up sledgehammers against the infamous wall and broke Communist's grip on the city, Americans know that as freedom and democracies take root in the new Iraq, when we see ink-stained fingers raised in defiance of threats, the people of the Middle East and the world will demolish terror with their ballots, and freedom will again triumph.

HATE CRIMES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentlewoman from Texas (Ms. JACKSON-LEE of Texas) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. I thank Congressman BACA for bringing us together to acknowledge that hateful speech generates hateful acts. And I hope that we will have an opportunity as we discuss the immigration pathway for so many who are claiming America's dream that we will bring the tone down. Let me applaud the community of Houston where I come from where we are establishing weekly meetings called Houston's Unity Effort on Immigration.

Let me tell how immigration and hateful talk can generate ugly acts. The sodomizing of a teenager by Anglo youth, white youth, a Hispanic youth when the piquing comments about immigration were rising to the worst that we could hear. That young man now lays in a hospital bed recuperating, and I have asked for an Attorney General investigation as to the violation of his civil rights. Or, as been said, a video game that gives the highest points to a dead Mexican pregnant woman coming over the border. That is a lack of understanding and sensitivity. And just recently in Round Rock, Texas where a

bailiff called a young teenager who simply wanted to express their constitutional rights in walking out of a high school to claim some sort of dignity on immigration called them a wetback, and that same community charging them with misdemeanors for simply expressing their freedom of speech.

I know this Nation can do better and I know that we can do better. That is why I join with Congressman BACA to say that hateful speech generates hateful acts. This is the beginning of a hate crime if we begin to talk in a hateful way. Immigration can be done comprehensively, border security, and comprehensive immigration reform. Let us tone it down. Let us be reasonable and respectful.

I would like to yield the rest of my time to Mr. GREEN from Texas.

Mr. GENE GREEN of Texas. I would like to thank my Houston neighbor for yielding me the balance of her time.

Racial intolerance has divided this country since the Pilgrims landed at Plymouth Rock. The history of immigrants coming to this country teaches us that when one particular ethnic group comes to this country in large numbers, that group becomes the target of false suspicions and contempt. This has been true in our Nation's history, whether it be the Irish, the Germans, the Italians, or Chinese immigrants.

In 1921, Congress passed the first immigration restrictions because we were worried immigrants were coming in and taking our jobs. Now today we face a similar climate. We navigate through our latest effort to address immigration in this country with Hispanics, mostly from Mexico. Just last month, in my home county, we had a young Mexican American teenager who was nearly beaten to death and sexually assaulted by two white teenagers who were known to be racist.

Unfortunately, our country has seen a rise in crimes targeting particular races, ethnicities, and genders over the past few years. To combat this growing trend, many States and the Federal Government have considered and passed legislation designated as hate crimes legislation. If someone attacks me or my property because I am an Anglo, that is a crime and they should be punished. But if they attack me because I am an Anglo and they destroy my property or attack me, that should have a higher punishment level. And that is true in this country and it should be true in many of our States, and we need to make sure that happens. It is bad enough to have your property or you hurt, but somebody just doing wrong against you but doing it because they don't like your race, your ethnicity, the color of your skin, your religion or your gender is just wrong. Everyone should be protected from hate crimes regardless of where they occur.

Our Federal law only covers hate crimes if it is a federally protected activity. This young man was actually at a private residence, so the U.S. Attorney says they can't file a hate crime in Texas. We are still working on the state law. Hopefully, the district attorney will do it.

All Americans should be outraged by these video games that the Internet depicts shooting caricatures of Mexicans crossing our border. This only incites needless hatred and creates more confusion on an issue that is already complicated. I hope my colleagues in the House will join me in denouncing and stopping any racial overtones surrounding the immigration issue. Our country is made up of immigrants; we all came from somewhere. Some of us were lucky enough, our parents got here sooner than others, but we are representative of every nationality and every ethnicity in the world.

I thank Congressman BACA for putting this together and my colleague from Texas for yielding.

Ms. JACKSON-LEE of Texas. Let me close by simply thanking you and saying that, in addition, we want to make sure that we don't undermine the Voter Rights Act by fighting over the language provision that should be included. That is actually part of the history of the Voting Rights Act, and I am very proud of Barbara Jordan some years ago the Voter Rights Act to include language minorities.

Mr. Speaker, hate crimes, hate acts, we need to recognize that this is what generates out of lack of understanding, and I believe Americans are better than this and understand the value of the comprehensive immigration reform border security without the attacking on young people who are innocent and become innocent victims of our hateful talk. We can do better and America can do better.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 11 a.m. today.

Accordingly (at 9 o'clock and 57 minutes a.m.), the House stood in recess until 11 a.m.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order at 11 a.m.

PRAYER

The Reverend Joseph J. Kleinstuber, Pastor, St. Mary's Catholic Church, Bryantown, Maryland, offered the following prayer:

Almighty Father, we do well to join all creation in heaven and earth in praising You, our mighty God.

You made us in Your own image and set us over all creation. Once You chose a people and gave them dignity, and when You brought them out of bondage to freedom, they carried with them the promise that all men and women would be blessed and that all would be free.

It happened to our forefathers who came to this land as if out of a desert into a place of promise and hope.

It happens to us still and we entrust the United States of America and this deliberative body into Your loving care.

You are the rock on which this Nation was founded. You alone are the true source of our cherished rights to life, liberty and the pursuit of happiness. We ask that You hold us in the palm of Your hand and God bless America. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. STEARNS) come forward and lead the House in the Pledge of Allegiance.

Mr. STEARNS led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND JOSEPH J. KLEINSTUBER

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

Mr. HOYER. Mr. Speaker, I am very, very pleased to welcome to our midst Father Joseph Kleinstuber, a constituent of mine and an extraordinarily loved leader in our area. Father Kleinstuber is pastor of St. Mary's Church located in my district in Bryantown.

Father Kleinstuber was born in Washington, D.C. He attended Gonzaga High School, as well as Georgetown and George Washington Universities before going on active duty as an officer in the Air Force. He spent 3 years in the Air Force as chief of the Aviation Physiology Department at Randolph Air Force Base in Texas.

Following his military service, he studied at St. Vincent Seminary and was ordained as a Catholic priest in 1964.

Prior to coming to St. Mary's, Father Kleinstuber served as an assistant pastor of St. Anthony Church in the District and St. Andrew the Apostle Church in Silver Spring, Maryland. He also worked for 25 years at St. John's College High School here in Washington as chaplain, director of counseling, a member of the science department, and, of interest to our Speaker, wrestling moderator.

Since 2001, Father Kleinstuber has been at St. Mary's serving as the pastor of this more than 200-year-old parish where he is affectionately known by the students at St. Mary's Bryantown Catholic School as Father K.

I want to thank Father Kleinstuber for his dedicated service to the citizens of Bryantown and St. Charles County, and I wish to extend my gratitude and that of my colleagues to him for leading us in this morning's prayer.

Father, we wish you well and thank you for your leadership in so many different areas that have made our country a better place.

COMMENDING THE GOVERNMENT OF CANADA FOR ITS RENEWED COMMITMENT TO THE GLOBAL WAR ON TERROR

The SPEAKER. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 408, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 408, 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. 256]

YEAS—409

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

NOT VOTING—23

Barton (TX)
Berkley
Blunt
Davis, Tom
Deal (GA)
DeLauro
Evans
Gillmor
Hinojosa
Jefferson
Lewis (GA)
Manzullo
McKinney
Miller (MI)
Nussle
Oberstar
Payne
Peterson (MN)
Rush
Sessions
Snyder
Strickland
Weldon (PA)

□ 1135

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

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: ''Concurrent resolution commending the Government of Canada for its renewed commitment to the Global War on Terror in Afghanistan.''.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2006.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Susan Lapsley, Assistant Secretary of State for Elections, State of California, indicating that, according to the unofficial returns of the Special Election held June 6, 2006, the Honorable Brian P. Bilbray was elected Representative in Congress for the Fiftieth Congressional District, State of California.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

Attachment.

SECRETARY OF STATE,
STATE OF CALIFORNIA,
June 8, 2006.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, June 6. 2006, for Representative in Congress from the Fiftieth Congressional District of California, show that Brian P. Bilbray received 60,319 or 49.33% of the total number of votes cast for that office.

It would appear from these unofficial results that Brian P. Bilbray was elected as Representative in Congress from the Fiftieth Congressional District of California.

However, at this time there are 68,500 ballots still being processed by the jurisdiction.

To the best of our knowledge and belief at this time, there is no anticipated legal challenge to the outcome of this election.

As soon as the official results from the San Diego Registrar of Voters are certified to this office reflecting votes of all 500 precincts involved, an official Certificate of Election will be prepared for transmittal to you as required by law.

Sincerely,

SUSAN LAPSLEY,
Assistant Secretary of State for Elections.

PROVIDING FOR SWEARING IN OF MR. BRIAN P. BILBRAY, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. BRIAN P. BILBRAY, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

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

There was no objection.

SWEARING IN OF THE HONORABLE BRIAN P. BILBRAY, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Representative-elect and the members of the California delegation present themselves in the well.

The Representative-elect will please raise his right hand.

Mr. BILBRAY appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 109th Congress.

WELCOMING THE HONORABLE BRIAN P. BILBRAY TO THE HOUSE OF REPRESENTATIVES

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

Mr. STARK. Mr. Speaker, as dean of the California delegation, it is my distinct honor at this point to yield to the senior member of the Republican California delegation, Mr. DREIER.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, since March 4, 1789, when the United States Congress was established, 11,792 individuals have had the opportunity to serve as Members of the United States Congress. During that period of time, a grand total of 29 have left this institution and come back representing a different district. Five of our sitting colleagues now fall among those 29: Mr. INSLEE; Mr. COOPER; Mr. PAUL; our California colleague Mr. LUNGREN; and now the gentleman who is here to work and ready to make sure that we stop the problem of illegal immigration, deal with the global war on terror, and make sure that we succeed in growing our economy, our colleague, Mr. BILBRAY.

Mr. BILBRAY. Mr. Speaker, I would like to, first of all, in the traditional way, thank my family and my friends, who were willing to support me through this quite unusual campaign. I would like to thank the people of the 50th District for giving me their trust and huge responsibility to represent them.

For those who may not know, the 50th District is a classic California coastline district, very environmentally sensitive; and I am grateful today that they believe in recycling Congressmen.

I know there are those in this room that are not happy to see me return, and all I ask of those is give me a chance to work with you again. I think we had a good working relationship in the past, and I look forward to a great working relationship in the future.

I would like to thank those of you that stood up and helped me in every way. This was obviously a team effort, and it was one that was well thought, hard fought, and well won.

Ladies and gentlemen, I leave you with one message: there were 18 people running for this seat. The voters had one of the broadest choices of any congressional race. But there was one issue and only one issue that allowed me to be elected. It was not my experience. It was not my hard work, and God knows it was not my intellect. It was the fact that the people in the 50th District wanted something done, they wanted a job and a message sent to Washington, that now and here is the time to address illegal immigration.

We did not enjoy the situation or appreciate the problem that created the vacancy, but let me say quite clearly what is obvious in the last few months is that the greatest scandal in America is not that one man broke the law, but that 12 million illegal immigrants are in this country and Washington is not doing enough about it.

So I ask you, even if you disagree with me on this issue, let us join together and work to address this issue so that both sides, Democrat and Republican, and Independent, can go home proud that we did right by the American people and worked together for our future and our grandchildren's future.

Thank you very much.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from California, Mr. BRIAN P. BILBRAY, the whole number of the House is 433.

CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER. The unfinished business is the question of adoption of the conference report on the bill, H.R. 4939.

The Clerk read the title of the bill.

The SPEAKER. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 351, nays 67, not voting 14, as follows:

[Roll No. 257]

YEAS—351

Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
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)
Cantor
Capito
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Meeks (NY)

Melancon
Mica
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Napolitano
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Ortiz
Osborne
Otter
Oxley
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—67

Abercrombie
Ackerman
Baldwin
Blackburn
Blumenauer
Campbell (CA)
Cannon
Capps
Coble
Costello
Delahunt
Duncan
Eshoo
Farr
Filner
Flake
Frank (MA)
Gohmert
Grijalva
Gutierrez
Hensarling
Hinchey
Holt
Honda
Inslee
Jones (NC)
King (IA)
Kucinich
Lee
Lofgren, Zoe
Markey
McCollum (MN)
McDermott
McGovern
McHenry
McKinney
McNulty
Meehan
Michaud
Miller, George
Moore (WI)
Musgrave
Nadler
Neal (MA)
Neugebauer
Olver
Owens
Pallone
Paul
Pence
Petri
Rothman
Schakowsky
Sensenbrenner
Serrano
Smith (WA)
Solis
Stark
Tancredo
Thompson (CA)
Tierney
Watson
Waxman
Weiner
Westmoreland
Woolsey
Wu

NOT VOTING—14

Barton (TX)
Berkley
Deal (GA)
DeLauro
Evans
Gillmor
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Rush
Sessions
Strickland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISSA) (during the vote). There are 2 minutes remaining in this vote.

□ 1202

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEDICARE PRESCRIPTION DRUG PLAN

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

Mr. BROWN of South Carolina. Mr. Speaker, in February of this year there were approximately 112,311 Medicare part D seniors in my district. About 46,052, or 42 percent, were enrolled in a Medicare drug plan.

In March I held Medicare workshops throughout my district to educate our seniors about the Medicare part D coverage. The participation was overwhelming. As a result of these workshops, as of May 7, 2006, approximately 83,437, or 74 percent, of my eligible seniors were enrolled in the part D plan.

Currently, more than 38 million Medicare beneficiaries nationwide have good drug coverage. That is over 90 percent of all eligible beneficiaries. The Medicare prescription drug coverage is a big win for our seniors.

DEBATE ON THE WAR IN IRAQ

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

Mr. KUCINICH. Mr. Speaker, there will be a great debate this week about the war in Iraq. Will we debate whether Iraq had anything to do with 9/11? No, because everyone knows Iraq did not. Will we debate whether Iraq had weapons of mass destruction? No, because everyone knows Iraq did not. Will we debate the administration's exit strategy? No, because they don't have one.

It will be an interesting debate, because the very reasons which brought Members to vote for the war no longer have a basis in fact. They keep changing day by day, the reasons, why we are in Iraq. And as each new reason is brought to light, it keeps evaporating like the sun evaporates the morning dew.

After a while, the war becomes self-justifying, a patriotic exercise. So we will engage in a great debate about a war that is not so great, about a war based on a lie while our troops and innocent civilians die as we debate greatly.

THANK YOU TO OUR SOLDIERS

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

Mr. PRICE of Georgia. Mr. Speaker, what an honor it is for me to stand here today and recognize three outstanding soldiers and citizens, Sergeant Kenneth Kraus, Staff Sergeant Jacob Long, and First Sergeant Michael Matthews. These brave men represent the best our country has to offer. They served in our military and now continue service in Roswell, Georgia, as police officers and city employees.

Just like the freedoms they protect, the heroism and selflessness embodied by our brave soldiers must never be taken for granted. Each and every day these men and women sacrifice for the well-being of Americans and our allies, and they stand on the front lines in Iraq, Afghanistan, and around the world bringing freedom and hope to millions; and they do so with an unwavering dedication and professionalism.

We must insure that they have not only our gratitude but our genuine support in their continued efforts. Thanks to Sergeant Kraus, Staff Sergeant Long, and First Sergeant Matthews, as well as all members of the United States armed services for their contributions both at home and abroad.

You continue to make our Nation great and our friends and allies around the world secure and free. God bless you.

RISING COLLEGE EDUCATION COSTS

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

Ms. CORRINE BROWN of Florida. Mr. Speaker, attention students: since the Bush administration took office in 2001, tuition and fees at 4-year public colleges have increased by 40 percent, forcing more and more students and their families to take out Federal loans. The typical student borrower now graduates from college with a record of $7,500 debt, which they must start paying months after they graduate.

But thanks to the Bush administration, come July 1, interest rates will be raised by 7 percent, and for the parents 7.8 percent. To avoid adding potential thousands of dollars to the life of their loans, students and parents with Federal student loans should consolidate now before the July 1 rates take effect and lock in interest rates as low as 4.75 percent.

To circumvent increases caused by the Republican raid on student loans, a tax on student loans, borrowers should call the Department of Education at 1–800–557–7392. I repeat, to avoid this, call 1–800–557–7392.

5,172 MISSING CHILDREN ARE FOUND

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

Mr. POE. Mr. Speaker, the ladies of the gulf, Hurricanes Katrina and Rita, battered Louisiana and Texas, shattering families, scattering 5,172 children across the country. In the darkness of the night, children disappeared from their families. Searchers only hoped and prayed that they would be found.

Frantic parents upon arrival in safe harbors panicked because they were separated from their kids. While the hurricanes were a bad dream, losing their kids was a nightmare.

This is when the child crusaders came together, without hesitation, launching into action, combing 50 States, searching among thousands of people. In the end, all 5,172 children were brought home. After hundreds of hours of manpower, success occurred because of the dogged determination of the National Center For Missing and Exploited Children.

Through the tenacious work of peace officers and the tireless efforts of the U.S. Postal Service and thousands of nameless citizen volunteers, children were united with their parents. Yesterday, I was with the President at the White House when the First Lady honored these valid heroes, demonstrating the face of tragedy is best met by strong hearts and iron wills, and people just taking care of people.

And that's just the way it is.

HOUSE GOP IGNORES THE ECONOMIC CONDITIONS OF AMERICA'S WORKING CLASS

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

Mr. CLEAVER. Mr. Speaker, having come to Congress in this 109th, I am come to the conclusion that it is not good for any party to have complete power here in Washington. It creates a hubris that then, I think, does immense damage to the Nation. Over the last 6 years, we have seen the control of Congress and the White House by Republicans; and for whatever reason, it appears that the economic direction that we have taken in the country is in favor of the upper class, and the benefits are supposed to trickle down.

Mr. Speaker, there is a tsunami of frustration rolling across America. People are hurt. The average family is now paying $1,200 more a year for health insurance. College tuition has jumped 40 percent and gas prices have doubled. Housing is the least affordable in the last 14 years. A tsunami of frustration is rolling across America.

Mr. Speaker, I believe we can do better.

PROBLEMS WITH SENATE IMMIGRATION APPROACH

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to speak out against the Senate's amnesty plan. Their bill is fundamentally unfair as it benefits only those who came to this country by breaking our laws. No illegal alien is left behind by this bill, because it gives aliens in-state tuition rates at colleges.

Further, the Senate bill would allow 217 million new immigrants to come here over the next 20 years. That is two-thirds of our current population. Some of my constituents have been sending me bricks suggesting that they go toward building the wall on our southern border.

When constituents have to step in to help send bricks to Congress, obviously they feel very strongly about the immigration issue. Actually, Americans should start sending bricks over to the Senate, and I hope that they do. However, the problem is they probably will not mail them. They will be throwing them at the Senate.

DO-NOTHING CONGRESS

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

Mr. BUTTERFIELD. Mr. Speaker, the House is back in session for yet another week. The sad fact is that this House has only been in session 43 days this year; but once again, the Republican majority refuses to schedule any meaningful legislation to address our Nation's energy crisis. So that is why we call this the do-nothing Congress.

The Republican Party's cosy relationship with Big Oil is causing pain for the American consumer and jeopardizing our national security. Last year, Big Oil recorded record profits, thanks partly to billions in tax breaks that Republicans rewarded their friends last year. Yet, House Republicans remain defiant in their opposition to repealing the $8 billion in tax breaks they have given to their friends in the oil industry.

Mr. Speaker, this is really a question of fairness. Why should oil companies continue to receive giant tax breaks from the Federal Government when they are recording record profits. Democrats want to repeal these unnecessary subsidies so we can provide consumers with some relief.

WAR SUPPLEMENTAL APPROPRIATIONS

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

Ms. FOXX. Mr. Speaker, I am proud of our Speaker and the majority leader for taking a fiscally responsible stance on the Emergency Supplemental Appropriations Act for Defense and the Global War on Terror. Our leaders pledged that this House would reject an emergency supplemental spending package that exceeded the amount requested by the President, and this was absolutely the right stand to take.

I am sure there are folks who could argue the merits of the additional funding proposed by the Senate, but we should debate those merits at another time. This war supplemental spending is for emergency spending for the war on terror. It should not be used as a free-for-all for nonemergency spending that should be debated in our yearly budget and appropriations process.

I am very pleased that the House and Senate reached an agreement on this supplemental package that eliminated the $14 billion in additional funding that had been added by the Senate. This action proved that this Congress is committed to fiscal discipline.

The conference report now accomplishes its original goal by providing $65.8 billion in funding for our troops so that they have the equipment and resources they need to win the war on terror.

DEMOCRATS FIGHTING TO EXPAND OPPORTUNITY TO ALL

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, the American people want Congress to focus on their priorities, and that is exactly what the House Democrats are doing. We are fighting to expand opportunity to all Americans, not just a privileged few.

At a time when the average college student graduates with more than $17,000 in debt, Democrats want to expand the opportunities available to them by cutting the interest rates on their college loans, not increasing them, like the Republicans are doing.

At a time when wages remain stagnant for most Americans, Democrats continue to fight to raise the minimum wage because we want a fair and working wage. By increasing the minimum wage, we would not only expand opportunity for 7 million workers, but we would also increase wages for middle-class workers who have not seen a substantial pay raise in over 5 years.

At a time when high-paying jobs are going overseas, Democrats have an innovation agenda for science, engineering, information technology.

Mr. Speaker, it is time that this House really got to work.

□ 1215

SCHOOL SAFETY ACT

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

Mr. KIRK. Mr. Speaker, today the House will consider the School Safety Act authored by Congressman PORTER of Nevada. This bipartisan legislation will help make every classroom in America safer.

Recently, Michigan officials found that while the schools check their own State criminal records before hiring a coach or a teacher, 2,500 felons were still hired by Michigan's schools because they had out-of-state arrest records.

In 1998, President Clinton authorized States to share arrest records in compacts, and 25 States have done this but 25 have not, including Illinois.

John Porter's bill will link the criminal records for all 50 States. It will give school boards the tools they need to prevent a felon with an in-state or out-of-state arrest record from being put in charge of a classroom or team.

Americans have a right to safe, gun-free classrooms, and this bill will help make that happen.

DISASTER ASSISTANCE FOR FARMERS

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

Mr. POMEROY. Mr. Speaker, a preceding speaker noted the supplemental bill just passed. I want to speak about an aspect left out of this supplemental bill because of the actions of the majority.

Any assistance for farmers outside of the gulf region who suffered disaster losses in the 2005 production year were left out of the disaster bill. Supported by a bipartisan majority in the Senate, left out on a party-line vote in the House.

Our Nation's farmers have provided this majority and this President with plenty of help over the years, and they certainly deserve better than to have the President of the United States issue his first veto threat on a disaster bill that helped farmers when natural disasters took their crops.

They, instead, provided just for hurricane, farmers who lost during the hurricane. Well, look, maybe a drought does not have a name, maybe a flood does not have a name, but when you have a natural disaster and it wipes out our farmers, they deserve help from our government. That is how you keep family farmers in business, and it is a darn shame the Republicans stopped it in this bill.

STARK DIFFERENCE BETWEEN PARTIES IN APPROACH TO WAR ON TERROR

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

Mrs. BLACKBURN. Mr. Speaker, there is a stark difference in the way the Republicans and the Democrats approach this war on terror. There are many of the liberal elites who want to disengage and would like to leave broad swaths of this planet to terrorists. This course of action would lead to a lot of pain and suffering for future generations, for our children, for our grandchildren. It also would embolden the terrorists who are watching everything that we do and would lead to more strikes on U.S. soil.

After 9/11, our country made a decision that enough was enough and that it was time to fight back after two decades of terrorist strikes. It was time for us to protect our national security, and yes, indeed, because of our men and women in uniform, we have, and they are doing it brilliantly.

Is every day in this battle a victory? No. Is it easy? No. Is it very difficult? Incredibly so. But the important thing, it is a necessary fight and we are winning.

STUDENTS SHOULD CONSOLIDATE TO AVOID RATE INCREASES

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

Ms. SOLIS. Mr. Speaker, graduation season is in full swing, and all across the country eager college students are walking across the stage and entering into the workforce. While many wonderful experiences no doubt lie before them, one factor will quickly dampen their spirits, the reality that they are now saddled with unmanageable debt they accrued while obtaining their college degree.

The debt will grow even more daunting if they miss an important deadline that is fast approaching. That is why I came to the floor today, Mr. Speaker, to encourage all college graduates and their parents who are carrying debt to consolidate their Federal college loans before July 1. If they do not, interest rates will rise by 7 percent for students and 7.8 percent for their parents. Consolidating this month will allow them to lock in a low rate of 4.75 percent, drastically reducing the overall amount they will have to pay.

Mr. Speaker, the Republicans refuse to join us in making college affordable for many, many young people. In fact, they actually made college more expensive for American students when they passed a $12 billion in higher education cut earlier this year.

I urge strong support for our students and parents.

MAKING U.N. DUES ASSESSMENTS MORE FAIR

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

Mr. STEARNS. Mr. Speaker, the assessment of member dues at the United Nations has always been something of a joke. Japan pays 19.5 percent of the U.N. budget and does not even get a chance to sit on the Security Council. By contrast, Security Council members Russia and China contribute only 1 percent and 2 percent respectively to the U.N.'s multibillion dollar budget. We pay over 22 percent.

Currently, the U.N. bases assessments on gross national income figures, the proper measure of which cannot be taken when currencies are not convertible. The United States recently proposed that assessments be calculated the World Bank way, using data on purchasing power parity, to better reflect what states can afford. This would raise Russia's share of the budget to about 2.5 percent, China's to 13.7 percent, leaving America's mostly unchanged.

Should they not want this recognition, under the new accounting method, China's share of world gross domestic product rises to second place from seventh, just as Russia's rises to 10th place from 16th?

GOP IS THE CUT-AND-RUN CONGRESS

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

Mr. EMANUEL. Mr. Speaker, Karl Rove has said that the Democrats want to cut and run on the war in Iraq. Well, let us talk about cutting and running.

When we were told this would be a quick war and turned into a long war, this Congress cut and run from its oversight responsibility.

When we were told 130,000 troops would be enough but more were clearly necessary, this Congress cut and run from doing its oversight responsibility.

When we were told this would be a conventional war and it turned into an insurgency, this Congress cut and run from its oversight responsibility.

When we were told oil would pay for reconstruction, but the taxpayers were left with a $480 billion tab, this Congress cut and run from its oversight responsibility.

When we were told we would be greeted as liberators but had become treated like occupiers, this Congress cut and run from its oversight responsibility.

Mr. Speaker, Republicans want to portray the greatest foreign policy challenge of a generation as simply a choice between staying the course and cutting and running. Democrats look forward to this debate.

Mr. Speaker, oversight requires the vigilance and patriotic determination of every Member of Congress to do the job we were sent here to do and ask the questions that their constituents want.

Mr. Speaker, it is time for new priorities in Iraq and here at home.

BETTY BRADY'S RETIREMENT

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

Mr. GINGREY. Mr. Speaker, I rise today to thank Betty Brady for nearly 30 years of service to the Powder Springs, Georgia community, most recently as the city clerk.

Betty's retiring from public service this year, and I know the whole city will miss her enthusiasm and her dedication.

Betty has worked with the City of Powder Springs since 1977, and in 1992, she was appointed city clerk. Over the past 14 years, Betty has worn many hats, accomplishing administrative, organizational and public relations duties for the mayor and city council.

As a native of Powder Springs, Betty brought a passion to her role as city clerk. Never one content to sit on the sidelines, Betty gave her time and energy to almost every aspect of city government.

In retirement, Betty will have more time to spend with her husband Aubrey, her three sons and her seven grandchildren.

Mr. Speaker, I ask that you join me and all my colleagues in thanking Betty Brady for her years of service to the Powder Springs, Georgia community.

LEAK OF SENSITIVE PERSONAL INFORMATION AT DEPARTMENT OF VETERANS AFFAIRS

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

Mr. SALAZAR. Mr. Speaker, the leak of the sensitive personal information of millions of veterans and active duty military personnel by the Department of Veterans Affairs is a disgrace.

The information, including Social Security numbers, dates of birth and disability was taken from the VA to an employee's home via his laptop. When the laptop was stolen from his residence, the private, sensitive information of more than 26 million veterans and active duty troops were stolen with it, making them all potential targets for identity theft.

No employee of the Federal Government should have the ability to walk out of their office with that amount of personnel data on their computer. The administration needs to make sure that something like this never happens again.

The VA must also work with Congress to provide assistance to the millions of victims of this leak without affecting veterans' benefits. Veterans should have the resources made available to them free of charge to monitor their credit reports for suspicious action.

If any of our veterans or troops become victims of identity theft because of the security breach, they should not be held responsible. After all, it was by no act of their own that their personal information was compromised.

Last night, I introduced H.R. 5588, a bill that would ensure the veterans are protected in case of their stolen identity.

I urge my colleagues to support this important legislation.

IRAQI SECURITY FORCES GAINING GROUND IN IRAQ

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

Mr. WILSON of South Carolina. Mr. Speaker, as the House prepares to consider a resolution for victory in the global war on terrorism, I would like to congratulate U.S. troops and coalition forces for training Iraqi security forces.

In 3 years, coalition troops have transformed hundreds of thousands of Iraqi volunteers into battle-tested Iraqi security forces. The Defense Department's quarterly report recently stated that there are more than 263,400 trained and equipped Iraqi security forces. Additionally, the Iraqi Army now controls 30,000 square miles of territory, an area roughly the size of my home State of South Carolina. Nearly two-thirds of combat operations are now conducted by Iraqis alone or jointly with coalition forces.

Day by day, Iraqis are defeating terrorists and gaining control over their country. Progress in Iraq is helping to ensure security in America, and we must remain committed to completing this critical mission protecting American families.

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

REPUBLICAN RAID ON STUDENT AID INCREASES LOAN COSTS

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, with tuition costs rising and the availability of financial aid declining, many parents in our country are finding it harder and harder to afford the cost of college education for their sons and daughters. However, these families know the importance of having a college degree in today's economy. We really cannot underestimate the importance.

Therefore, large numbers are relying on student loans to help meet tuition costs. While these loans can be a great resource to make college accessible to more students, they can also cause great financial hardships for the borrower when they graduate and the payments are due.

The administration has supported making paying for these loans even more difficult by enacting their raid on student aid and cutting $12 billion from the higher education budget. Because of these drastic and devastating cuts, interest rates on student and parent loans for college will increase significantly July 1.

To avoid this dramatic increase in interest rates, I encourage all Federal student loan borrowers to visit www.loanconsolidation.ed.gov to consolidate their loans before July 1.

KATRINA BILLS

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

Ms. MCKINNEY. Mr. Speaker, this week several of my colleagues and I are circulating a chart listing 176 Katrina bills, out of which only a dozen have become law to date. As we sit here today, dozens of survivors are protesting the injustices suffered at the hands of FEMA. Hurricane season is upon us again, and FEMA continues to deny housing assistance to tens of thousands of needy families, many of them now rendered homeless.

New Orleans remains a toxic disaster zone that still looks much like it did the day after the hurricane. Despite the tens of billions of dollars spent on no-bid, sweetheart contracts, much of it wasted.

Will the 163 Katrina bills sitting in committee also go to waste? Or will Congress address the ongoing specific needs of the survivors by moving existing legislation and checking fraud and abuse by providing real oversight of appropriations?

The choice is ours.

□ 1230

HOUSE REPUBLICANS TURN BACKS ON MIDDLE CLASS; ECONOMIC INSECURITY GROWS

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

Mr. PALLONE. Mr. Speaker, House Republicans have turned their backs on the middle class, and that is one of the main reasons an overwhelming majority of Americans want Congress to move in a new direction. Our constituents want us to work on behalf of all Americans, not just the wealthy few. But for 5 years now the Bush White House and Congressional Republicans have showered millionaires with large tax breaks while ignoring the economic conditions of the middle class. This year, while middle-class families received an average of a $60 tax break, America's millionaires received a whopping $65,000 gift from the Federal Government. And Washington Republicans call this fair?

It would be one thing if both the wealthy and middle class were both benefiting in today's economy, but again many of our constituents are facing uncertain times. Today, wages are stagnant, family debt is on the rise, health care benefits have either disappeared or increased dramatically, and savings levels have plummeted.

These are the economic conditions many of our constituents face today, but this House Republican majority seems content with the status quo; and it is time this House listened to hard-working middle-class Americans.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 862, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 862

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of June 13, 2006, providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes.

The SPEAKER pro tempore (Mr. DENT). The gentleman from Florida is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. For the purpose of debate only, I yield the customary 30 minutes to my good friend from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, House Resolution 862 waives clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules. House Resolution 862 will allow the House to consider the rule for consideration of the Transportation, Treasury, and Housing and Urban Development Appropriations Act for fiscal year 2007.

The Rules Committee received numerous requests from the authorizing committees to expose portions of the bill that they feel represent legislating on appropriations bills. We are working through those requests now. Later today the Rules Committee will meet to thoroughly consider these requests and report out a rule.

Although we have not passed a final rule on this bill yet, Mr. Speaker, historically appropriations bills have come to the House floor governed by an open rule. I expect that we will continue to do so in order to allow each and every Member of this House the opportunity to submit amendments for consideration, obviously, as long as they comply with the rules of the House.

Mr. Speaker, I urge my colleagues to support this same-day rule so we can move forward to the rule on this important appropriation bill as soon as the rule is ready.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Florida, my good friend, Mr. DIAZ-BALART, for yielding me the time; and I yield myself such time as I may consume.

Mr. Speaker, I rise today with a bit of trepidation about this rule and this process, which clearly circumvents the regular order of business of the House. I can find no reasonable explanation or sensible justification for going around the well-established rules of this body to bring the transportation appropriations bill to the floor today in this manner.

The majority has been so kind in explaining why it believes that this martial law is needed. Unfortunately, the majority's explanation has fallen a bit short on convincing this side of the aisle that we need to do this today and not tomorrow.

For the life of me, I can't figure out why this bill must come to the floor in this manner. It is, after all, only Tuesday. You would think that after controlling the House for 11 years that my friends in the majority would have figured out how to bring a nonemergency appropriations bill to the floor under regular order. Indeed, there is simply no good reason to handle these bills outside the normal parameters of the way the House should conduct its business.

Moreover, when the House does operate this way, it effectively curtails our rights and responsibilities as serious legislators. When the leadership of this body bypasses the rules of regular order, as it is attempting to again do today, it really does discredit this great institution in which all of us are privileged to serve.

Realize, Mr. Speaker, my concerns are not content but rather process. This martial law rule sends a false message to the American people that this is what the Framers intended when they envisioned the House of Representatives. The House of Representatives ought to be a body of thought and deliberation, where America's greatest needs are given proper consideration. Under the majority, however, thought and deliberation have been replaced by rubber stamps and obvious disorganization. This is not a good thing, and it is a disservice to the American people.

I really do urge my colleagues to reject continued attempts to circumvent regular order in the House of Representatives.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would simply note that the Transportation, Treasury, HUD bill passed the full Appropriations Committee by a voice vote on June 6. In other words, without opposition, without noted opposition; and the bill was filed on June 9. It has been available for everyone to see and review for days now. It was also on the schedule since last week.

I have no further speakers on this side of the aisle. I would ask my good friend if he has any other speakers.

Mr. HASTINGS of Florida. I was trying to allow that we go a bit longer only for the reason that the next agenda matter is not present for us. I won't make an accusation that that allows that my friends in the majority are having difficulty in organizing their efforts.

My good friend from Florida, for example, just commented that this has been a measure, or this is a measure, that was passed and that it has been known since June 9; and at the very same time, at the outset, you began by saying that we are in the process of determining what we are going to do before we report out the rule.

You know, we use a lot of beltway language here, and for a long time I didn't believe that there was a beltway mentality. The tragedy is now I, as well as others that I know, have become a part of it. Let me say what I am talking about.

When I say I am not talking about content, I am not talking about the substance of the transportation measure that is so critical to this Nation. What I really am talking about is the process where the Nation's representatives get an opportunity to speak on issues of vital concern. So, then, when we say that this rule circumvents regular order, as a general rule Jane and Joe Lunchbucket don't have a clue what we are talking about. So perhaps it would be helpful, since we have a little time, to explain to them what regular order would normally require for a nonemergency appropriations measure.

The rule that we are getting ready to present this transportation measure under also called for same-day consideration of legislation providing for the Department of Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and independent agencies for the fiscal year ending September 30, 2007, and for other purposes. What it does is it circumvents one of the rules, which is 6(a) of rule XIII. That generally doesn't mean a thing to the American public, but let me tell them what it means.

That rule requires a two-thirds vote in order to consider a rule on the same day reported from the Rules Committee. Two-thirds of the Members of this House would have to do that. What we are doing with this rule is we are waiving that two-thirds requirement and we are saying it is all right, you can bring up any of these things under the same-day rule because it doesn't require two-thirds of the Members.

I can assure you if two-thirds of the membership were required in order for us to be able to proceed along regular order, it might not be difficult to achieve; but it would be fair for us to function that way. So we have ignored the process repeatedly here in the House of Representatives. And what that does is it creates a situation where Members in the House of Representatives who represent constituents don't get an opportunity to have their measures considered by the Rules Committee or by the House under regular order, thereby precluding them from having an opportunity to actually receive the best interests of their representative as it pertains to issues that are germane to their interests in their locales.

That is a long way to describe that when you waive the process, you waive the rights of the people that we represent to have their representatives present their views here on the floor of the House of Representatives and to have this great deliberative body work its will. Therein lies the rub with this particular kind of process.

It even has a distinct name: martial law. That sounds like something that is forcing something or requiring something to be done under the aegis of authoritarian rule. That is not right, and that is what we complain of, those of us that have the opportunity and privilege to do so in the Rules Committee.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

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 later today.

PROVIDING FOR CERTAIN ACCESS TO NATIONAL CRIME INFORMATION DATABASES

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4894) to provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children.

The Clerk read as follows:

H.R. 4894

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

SECTION 1. ACCESS TO NATIONAL CRIME INFORMATION DATABASES BY SCHOOLS AND EDUCATIONAL AGENCIES FOR CERTAIN PURPOSES.

(a) IN GENERAL.—The Attorney General of the United States shall, upon request of the chief executive officer of a State, conduct fingerprint-based checks of the national crime information databases (as defined in section 534(f)(3)(A) of title 28, United States Code, as redesignated under subsection (e)), pursuant to a request submitted by an entity of the State, or unit of local government, which is designated to conduct background checks on individuals employed by, under consideration for employment by, or volunteering for, a private or public elementary school, private or public secondary school, local educational agency, or State educational agency in that State in a position in which the individual would work with or around children. Where possible, the check shall include a fingerprint-based check of State criminal history databases. The Attorney General and the States may charge any applicable fees for these checks.

(b) PROTECTION OF INFORMATION.—An individual having information derived as a result of a check under subsection (a) may release that information only to an appropriate officer of a private elementary school, private secondary school, local educational agency, or State educational agency, or to any person authorized by law to receive that information.

(c) CRIMINAL PENALTIES.—An individual who knowingly exceeds the authority in subsection (a), or knowingly releases information in violation of subsection (b), shall be imprisoned not more than 10 years or fined under title 18, United States Code, or both.

(d) DEFINITIONS.—In this section, the terms ''elementary school'', ''local educational agency'', ''secondary school'', and ''State educational agency'', have the meanings given to those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(e) TECHNICAL CORRECTION.—Section 534 of title 28, United States Code, as amended by section 905(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), is further amended by redesignating the second subsection (e) as subsection (f).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

□ 1245

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4894 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 4894 sponsored by the gentleman from Nevada (Mr. PORTER). This legislation provides our Nation's schools with an additional tool to ensure the safety of our schoolchildren when hiring teachers, staff and volunteers.

Children are our Nation's greatest resource. Parents trust that when they send their children off to school they will be provided a safe environment in which to learn. Teachers are vested with a tremendous responsibility of preparing kids for a successful future, and the overwhelming majority of our educators conduct themselves as consummate professionals.

Unfortunately, we sometimes hear about teachers who engage in criminal conduct involving students. These few bad apples not only jeopardize our children's safety, but tarnish the reputation of those in the educational community. While all incidents of this nature are an outrage, the tragedy of some is compounded when these deplorable actions are perpetrated by individuals whose past criminal record should have identified them as potential threats.

Today all States require some type of background check for school employees. Unfortunately, some individuals with alarming records of criminal conduct slip through the cracks. Last year police in Charlevoix, Michigan, discovered that a convicted sex offender was volunteering as the director of the AmeriCorp program for the local school district. The man had an arrest record dating back to 1964, including sex offenses involving children.

School officials submitted the man's date of birth, Social Security number and driver's license number for a background check through the State system. However, his criminal record did not show up because the man had legally changed his name some 20 years earlier. Authorities learned of his criminal history only after he underwent a fingerprint check for a weapons permit.

In May, a California teacher was convicted on 17 counts of molesting nine students. Just last week, a second California teacher was arrested on charges that he molested a third-grade student. Even more disturbing is that this man had been suspected of a similar incident in 1990 and arrested for attempted rape in 1994.

This bill gives States direct access to Federal fingerprint databases to make sure that convicted sex offenders never work in a school again. Many school districts are experiencing a surge in growth that in turn increases the demand for qualified teachers and staff. Schools are under added pressure to expedite the hiring process to meet this demand. H.R. 4894 streamlines access to the Federal fingerprint databases so schools can be confident that they are hiring upstanding teachers and staff.

The bill authorizes the Attorney General to provide States with accurate fingerprint-based background checks for current school employees and prospective faculty, staff and volunteers who work with children. Either the Attorney General or the State may charge a fee for the check. The background information may be released only to the appropriate school official or State education agency, and any person who exceeds this authority or misuses the background information may be fined or imprisoned for up to 10 years.

I commend the gentleman from Nevada (Mr. PORTER) for his work on this issue, and urge my colleagues to support this bill.

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

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

Mr. Speaker, allow me first of all to say that in our work on the Committee on the Judiciary, and particularly the Subcommittee on Crime, there is no doubt that one of the most prevalent issues that we address is a way to protect our children, whether it is against sexual predators, whether it is against the heinous acts of individuals who not

only sexually abuse our children but then ultimately kill them, and certainly we are aware of the far-reaching impact that the lack of structure and process has on our educational system, particularly individuals who are working in our schools, primary and secondary, and work with our children as it relates to sports activities.

So I am certainly in support of H.R. 4894, and clearly I would argue that we have a better product. I do not want to be anywhere suggesting that we are not fighting for our children. I do want to offer the fact that, as I indicated, that we have a better product, that we can agree that the criminal background checks done on individuals working with children is something we all want, and certainly we want to be able to include those who pose a threat.

But we do want to have a criminal background check system, of course, that has the elements of some order and constitutional protection. Might I just say to my colleagues that a version of the language that is in this bill already passed twice in H.R. 3132 and H.R. 4472, which really means in a bipartisan way we agree with this. So I thank the gentleman from Nevada (Mr. PORTER) for reinforcing our agreement.

I do hope as we talk about our particular issues that we would recognize that it is important to be able to put in the processes that would question whether all raw data is the kind of data that we should include for access by these institutional entities.

I do believe as we move toward the Senate and have a conference on this bill, we will find common ground so that what we put forward will protect our children absolutely and as well be a system that will be readily accessible to our educational institutions and at the same time give them the information that they need to ensure that those who are apt to injure, harm our children, are weeded out of our educational system.

We like the streamlined process. We like the fact that the Attorney General is, if you will, able to handle the fingerprints and data. But I know as we make our way toward conference we will have even a further opportunity to make this bill the kind of bill that provides the support and safety in the employment place of our educational institutions for all of our children.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Mr. PORTER), the principal author of the bill.

Mr. PORTER. Mr. Speaker, I thank Mr. SENSENBRENNER, the majority leader, Mr. BOEHNER, Mr. MCKEON, and my good friend, Mr. KIRK, who has helped me organize this agenda for the country, and the 50 some cosponsors.

Mr. Speaker, we have an epidemic in the United States. We have an epidemic of sexual predators following our children, whether it be on the computers, whether it be in our public parks, whether it be in the workplace, or even our schools.

I would suggest that all Members of Congress take a look at maps that local law enforcement have of the sexual predators that hang around our schools, that move into our school areas, if not adjacent across the streets from our schools. We need tools. We need additional tools to help our teachers and professionals, our administrators in our schools to streamline the process to get as much information as possible.

As Chairman SENSENBRENNER mentioned the Michigan example, it is unacceptable that a teacher could change his name legally and still teach, having been in prison for having molested an 8-year-old child. Currently, only 26 States are in the compact approved by Congress in 1999 giving States the tools to do background checks through the FBI. That means there are 27 million students in 24 States that do not have this same tool available to them to make sure their environment is safe.

Mr. Speaker, this bill is common sense. It streamlines the process for all 50 States. It allows access by all 50 States to this information, and will not circumvent existing background checks and procedures by our school districts, who I know are trying to do the right thing.

We are fortunate to have some of the greatest and best teachers in the world, but we want to make sure that those few that try to sneak through the system are caught in advance.

As a Member of Congress from one of the fastest growing States in the country, we hire close to 2,500 new teachers a year, close to 5,000 support staff and faculty. We need to make sure that the fast-growing States and the balance of States in this country have as much information as available because I cannot imagine the pain as a parent myself of having my child molested by someone in our schools.

Mr. Speaker, I am very proud of our teachers and administrators and school boards for what they are doing. We need to make sure they have the latest in technology available. Through this bill, all school districts will have access to this information. I would ask for the support of this body for H.R. 4894. I appreciate the time we have today.

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

Mr. Speaker, let me just say as I indicated, I applauded Mr. PORTER for his vision on protecting our children and also for responding to many of the educational institutions around America who have asked for some sort of format, some sort of structure to help them be able to, if you will, navigate themselves around this massive criminal justice system that in fact has an impact on how children are cared for in our schools and day care centers and places of sports activities.

But I do think as I support this legislation that Americans also understand that we want people to have an opportunity for rehabilitation, to engage in a productive life and to be able to provide for their families. Putting aside the sexual predators and those who are plagued by violent crimes and violent crimes against children, I would offer to say that we want to make sure as well that those who are perpetrators of nonviolent crimes or individuals charged with petty theft, but people who have been out of the system for decades have the opportunity for employment and rehabilitation.

I hope as we make our way toward conference again that these considerations will be taken into account and we will review this so we can work with Mr. PORTER and work with conferees and work with the Senate to make sure that we get constructive legislation to help us all.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the leader on the Democratic side has given two speeches. The speeches are supposedly in support of the bill, but then there is a whole long list of problems with it. Now we cannot make the perfect the enemy of the good when we are trying to protect children.

This is a bill that gives school districts the tool to get additional information on people who might try to harm children. So I think our committee has done a very good job in considering this legislation and making it not maybe a perfect bill but a very, very good one. We do not need a conference. We ought to pass it today, and then the other body ought to pass it and let's get on with it.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the chairman for yielding me this time.

I rise today in strong support of H.R. 4894. This is a commonsense piece of legislation to protect our schoolchildren from being exposed to convicted pedophiles on a daily basis. Isn't it a matter of common sense that a school in my hometown of Orlando, Florida, can do a nationwide criminal background check to make sure that its janitors, coaches and schoolteachers are not convicted pedophiles from New York, Massachusetts, California, or Texas?

Well, that is not happening right now. What does happen is they perform a background check in-state to make sure that someone hasn't been convicted in Florida of being a pedophile, and they perform a background check in 26 other States that signed on as part of a reciprocity agreement in 1998. What they don't check, however, is if anyone has a pedophile conviction from 24 other States, including the largest States in this country, States like California and New York and Texas and Massachusetts.

I became involved in a mentoring program as a volunteer back when I was practicing law called the Compact Mentoring Program. I personally went out and recruited 700 individuals in my community to be mentors to kids who were at risk of dropping out of high school.

□ 1300

My number one fear is that one of those people I recruited may be a convicted pedophile from another State. We didn't have the tools to do anything about it.

Congressman JON PORTER's bill gives us the tools to do something about it. I think this bill should get an award for the most commonsense piece of legislation we have considered all year.

I urge my colleagues to vote ''yes'' on H.R. 4894.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I am proud today to join Mr. PORTER and my fellow members of the Suburban Caucus in support of H.R. 4894. It is fitting that this legislation is the first bill to reach the floor for consideration as part of the Suburban Agenda. H.R. 4894 follows the commonsense set of issues that frames the Suburban Agenda, protecting kids and families at home and at school, providing families with better ways to save for college, and protecting our resources for a sustainable future.

As the father of six children, I want to know that when I or my wife drop our kids off at school that they will be well taken care of. Our teachers are responsible for our children's welfare for the 6 or 8 hours that they are at school, and we need to know without question that their safety will be paramount on the minds of teachers, faculty, and also volunteers.

Unfortunately, some would take advantage of their students. Instead of guiding our children, they are preying on them. Mary Kay Letourneau and Debra Lafave have become household names. But for each high-profile case of inappropriate encounters between teacher and student, how many go unnoticed, unreported?

That is why today's legislation is so important. H.R. 4894 would give schools the ability to request background checks on candidates for employment. Teachers, janitors, administrative staff, all would be subject to a background search through the Department of Justice's national crime information databases.

This legislation protects our kids, our communities, and maintains the high standard that we set for our educators. I am proud to support the legislation today and call on my colleagues to support it as well.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise today in support of H.R. 4894, the School Safety Acquiring Faculty Excellence Act, and I congratulate the leadership of my friend and colleague, Mr. PORTER, and of course of Chairman SENSENBRENNER, for bringing this important piece of legislation to the floor today.

This bill allows all States to access national criminal databases to obtain criminal information when hiring teachers. The safety of our children in America's schools is a major priority not only to our Nation's educators, but to every parent and guardian; and that is why I stand in support of it today. We need to make every resource available to our schools to ensure that the qualifications and the background of the faculty they hire are unquestioned.

This legislation streamlines the process and ensures that those who are hired to work with and educate our children are trustworthy, honest, and law abiding citizens. Mr. Speaker, this is a great opportunity for the House of Representatives to take a stand with our communities and our schools and give them the tools necessary to make certain that our children are safe.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the distinguished Chair of the Republican Conference, the gentlewoman from Ohio, and a former judge, Ms. PRYCE.

Ms. PRYCE of Ohio. Mr. Speaker, ask any group of parents what they worry about most, and I guarantee you that keeping their kids safe in a world that sometimes seems to get more dangerous by the day will be at the very top of that list.

The legislation before us will help make kids in this country safer by giving schools access to national criminal information databases, allowing to them conduct more thorough background checks on prospective teachers. It is as simple as that.

It goes without saying that the vast majority of teachers in this country are praiseworthy men and women dedicated to the well-being of the children that they teach. But, unfortunately, even schools are not safe from the criminals and pedophiles who threaten the innocence and safety of our kids.

It must be a priority of this Congress and our Nation to see that anyone who has harmed a child is brought to justice, and this legislation will help to ensure that no criminal ever finds a safe haven in a school.

I want to thank Mr. PORTER for his hard work, Chairman SENSENBRENNER for allowing this to go forward and for your hard work. And I am especially pleased to see it move forward as part of the Suburban Agenda. And I urge my colleagues to support the SAFE Act.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time and am prepared to yield back if the gentlewoman from Texas will do the same.

Ms. JACKSON-LEE of Texas. I have requests for time, and I would like to proceed.

Mr. Speaker, let me, as well, thank Chairman SENSENBRENNER and thank Ranking Member CONYERS, as well as Mr. COBLE and Ranking Member SCOTT for bringing forward a constructive answer to all of our concerns.

Mr. Speaker, I don't take a back seat to anyone in terms of advocacy for children, and fighting against child predators that have harassed and, if you will, violently attacked our children across America. We should stand up for them. I hope that this House will eventually take up the DNA legislation that I have that has a separate, distinctive DNA bank for those who are child predators.

We are grateful that in the subcommittee with Mr. SCOTT and Mr. COBLE this bill has addressed many of the issues that look at this in a broader sense. So it is important when we talk about bills that we want to be as near perfect as we can get. And I believe that we have the political will and the good conscience of this House and the Senate that we will get there. The idea is to protect our children, and the idea as well is to recognize that the parameters of our Constitution will allow us to do that while addressing those concerns. So I am hoping that we will have a perfect bill because our children deserve so and, as well, that we will have a bipartisan effort to work on this issue.

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

Mr. SENSENBRENNER. Mr. Speaker, I said I had no further requests for time. Is the gentlewoman from Texas prepared to yield back to allow me to close?

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have the great pleasure of yielding 1 minute to the distinguished gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to commend the committee for bringing this item before us. I am often before this committee with a different issue that relates to the whole business of how do you help individuals reintegrate. But I rise to express strong support for this legislation because I remember the words of the songwriter who said that our children are the future. And given the fact that they are, we have a responsibility to do everything within our power and possibility to make sure that they can grow up safe and secure.

I want to also commend my colleagues and the chairman of one of my subcommittees, Mr. PORTER from Nevada, for his work on this legislation. I strongly support it and urge its adoption.

Ms. JACKSON-LEE of Texas. I have no further speakers, and I close simply, Mr. Speaker, by thanking the distinguished gentleman from Illinois who has represented the broadness of our view. We must protect our children, and I believe that this bill is on its way to its perfection so that our children will not be subjected to infractions in this legislation, but truly be protected. And I hope that any other legislative

initiative that comes forward to protect our children will receive this bipartisan cooperation that we have achieved in the House Judiciary Committee.

I ask my colleagues to vote for the legislation of Mr. PORTER.

I yield back my time.

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

Mr. Speaker, this bill is not even close to the outer parameters of the Constitution. What it does is it allows the sharing of fingerprint data identification that has all been constitutionally collected with school districts who are hiring new personnel to find out if they have something in their background that would disqualify them from a job working with children. And that is all there is to it.

The fingerprints were valid. It is merely sharing the fingerprints with somebody who has got a legitimate use for them.

Now, there are criminal penalties involved for those who use those fingerprints for other than verifying somebody who is applying for a job at a school or volunteering there, for any other purpose whatsoever.

What has been said in the debate, using the Michigan cases and the two California cases, shows that there are loopholes in the present system that allow people who wish to molest children to get jobs undetected of their past record. And what the gentleman from Nevada is doing is making sure that those people are identified before they can wreck another young life.

What's wrong with that? This doesn't need perfection. It is simple; it is straightforward. And it ought to pass.

Mr. MCKEON. Mr. Speaker, I rise today in support of H.R. 4894, the School Safety Acquiring Faculty Excellence Act, a measure to provide school districts with the ability to ensure the safety of their classrooms.

I thank Mr. PORTER for leading the charge in making certain that children in our schools are learning in the safest environment possible. America's teachers are at the very heart of our education system and play a vital role in the lives of children. Their daily one-on-one interaction with the children in their classrooms cannot easily be matched.

It is for those reasons that we want to be certain that our teachers are of no threat to our children. The School Safety Acquiring Faculty Excellence Act is a logical and realistic approach to providing school administrators the tools necessary to help ensure their schools are safe.

Mr. Speaker, teachers deserve our utmost appreciation for their service and lifelong dedication to education. It is through this legislation, however, that we also address the realities of today and provide reassurance that we are keeping predators out of our classrooms. The safety and protection of our schoolchildren is imperative.

Again, I would like to thank Mr. PORTER for his continued efforts to help guarantee the safety of our schools, and I urge my colleagues to support this bill.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H.R. 4894, to provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children. Our children are America's future. It is important that they receive the best education we can offer them. It is also important that they be placed in a safe learning environment. Furthermore, local government has an obligation to provide for the safety and security of students. We help ensure that America's children learn without being put at risk by allowing local, territorial and state educational agencies to access national crime information databases.

Teachers play a prominent role in the lives of children and in the shaping of their character. This bill gives public and private schools the tools they need to ensure that the teachers they hire uphold the highest standards of conduct while educating our children. I support H.R. 4894 because it will help keep America's children safe inside the classroom.

Mr. SENSENBRENNER. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FEENEY). 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. 4894.

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

The yeas and nays were ordered.

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

EXEMPTING PERSONS WITH DISABILITIES FROM SECTION 8 RENTAL ASSISTANCE PROHIBITION

Ms. PRYCE of Ohio. Mr. Speaker, I move that the House suspend the rules and pass the bill H.R. 5117, as amended.

The Clerk read as follows:

H.R. 5117

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

SECTION 1. EXEMPTION OF PERSONS WITH DISABILITIES FROM SECTION 8 RENTAL ASSISTANCE PROHIBITION.

Subsection (a) of section 327 of Public Law 109–115 (119 Stat. 2466) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following new paragraph:

''(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Ohio (Ms. PRYCE) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I might consume. The story of this bill begins 4 months ago when I first heard that disabled students, many of whom rely on section 8 housing assistance, were at risk of losing support they depend on to go to school in and around Columbus, Ohio.

Marilyn Frank, the executive director of Creative Living, an organization in Columbus that provides a home for the severely disabled, told me that she feared a new law aimed at eliminating abuses in the section 8 program had the potential to hurt some of our most vulnerable citizens. Many of these residents would be unable to pursue their dreams of higher education without the support of Creative Living and the funding of the section 8 program.

H.R. 5117 gives us the opportunity to right a wrong. We can give these students the peace of mind that they can continue their education without fear that they will lose the housing on which they depend.

Now, the story behind the story begins more than a year ago. Media reports in Iowa and elsewhere questioned the integrity of section 8. It became clear that students, some student athletes, many from well-to-do families, were residing in subsidized housing created for low-income Americans. The images from these reports were patently offensive. While some families struggled to make financial ends meet to stay in the section 8 residences, a group of college football players lived in low-income housing, rent free and spent their $500 per week stipend at the mall on video games.

Congress responded quickly to close these loopholes and tightened the eligibility requirements for students who wish to reside in federally subsidized housing.

Unfortunately, that fix overlooked the disabled. This bill simply exempts disabled students who were receiving section 8 from these new requirements, thus grandfathering in disabled students who are currently going to school and receiving this assistance. The list of exempt individuals also currently includes veterans, married individuals, and those with dependent children.

The bill we are considering today ensures that disabled students who desperately are dependent upon section 8 to pursue their education will not be unfairly shut out of the rental assistance program.

I would like to thank my fellow Ohioans, Chairman OXLEY and Congressman NEY, Chairman HOBSON and Congressman TIBERI, for helping move this bill quickly to the floor. Mr. LEACH and Ranking Member FRANK from Massachusetts also deserve a great deal of thanks.

But our fight is not done. Unfortunately, because of some CBO scoring issues, the bill before us today is not

the broad fix to the section 8 program I had originally sought. And subsidized housing facilities like Creative Living cannot accept new students under the section 8 program until a more permanent solution is enacted by this body.

□ 1315

To that end I will continue to work to ensure that facilities like this can continue to house students with disabilities in the future and allow them to pursue their dreams.

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

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

Mr. Speaker, first of all, I would like to thank the gentlewoman from Ohio, Ms. PRYCE; the gentlemen from Ohio, Mr. TIBERI and Mr. HOBSON; and the distinguished chairman of the Subcommittee on Housing and Community Opportunity, from Ohio, Mr. NEY; as well as the ranking member, Mr. BARNEY FRANK; and Chairman OXLEY for their work on this measure. The full Committee on Financial Services reported it out unanimously by voice vote on May 24 of this year. As indicated by my colleague Ms. PRYCE, this bill corrects an unintended consequence of a provision added to the HUD appropriations bill last year that sought to close a loophole in the Section 8 program allowing student athletes and other non-needy students access to subsidized housing.

The fiscal year 2006 Transportation, Treasury, HUD, Judiciary and D.C. Appropriations conference report, codified as Public Law 109–115, included a provision that effectively counted the income of parents when determining whether students under the age of 24 are eligible to receive Section 8 assistance. That provision does not apply to veterans or to students who are married or have children. This bill, H.R. 5117, would additionally exempt students with disabilities from this treatment.

Mr. Speaker, the same appropriations bill included language intended to close the loophole in the Section 8 program which allowed student athletes and other non-needy students access to Section 8 housing intended for low-income persons. While this was not the intention of the appropriators, it created a potential hardship for the disabled community. However, the final rule issued by HUD in response to Public Law 109–115 has the potential to disqualify from Section 8 eligibility those severely disabled individuals under the age of 24 who are enrolled in an institution of higher learning.

H.R. 5117 is prescriptive, Mr. Speaker. It merely adds persons with disabilities to the list of exempt individuals. Of course, the disabled can least afford additional burdens and, therefore, anything that we can do to lessen their burden is well worth it. The final rule issued by HUD included this prohibition, and the sooner it is lifted, we will be able to return a sense of fairness to the Section 8 program, particularly where disabled students are concerned.

So I would urge my colleagues to support the passage of H.R. 5117.

And let me just say that this bill is typical of the kind of work that is getting done on our committee. We have tremendous cooperation from both sides of the aisle to do good work relative to making sure that not only rental opportunities are available to those who need it, but we are doing wonderful work in this committee on home ownership issues. What better month to be able to correct this problem in law than the month of June. This is National home ownership Month, and I think that our committee has certainly recognized this. And while we make this correction, we are working on a lot of other bills.

I am so proud of the work that we are all doing on FHA to bring it up to date and make sure that our opportunities are available for the least of these. I am so proud of the work that we are going to mark up on voucher reform. I am very pleased about the idea that many of us are getting together to try to hold on to HOPE VI.

So in this National home ownership Month, today we stand to send a signal not only to the disabled but to those who somehow get overlooked, forgotten, that we really are on point.

Mr. Speaker, again, let me just thank my colleagues on the committee on both sides of the aisle for the work that we are doing. I thank them today for 5117, for all of the other work that we are doing, and I would say that many others in this House can look at the work that this committee is producing and be proud and perhaps even use it as an example.

And so, Mr. Speaker, I urge passage at this time.

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

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

I just want to say this is a great victory today. We are ensuring that these students do not have to put away their textbooks or even hang up their lab coats because of something that we did when we thought we were correcting a problem. There are enough challenges put in front of individuals with severe disabilities, and worrying about a place to call home while they attend college should not be one of them.

I also appreciate the bipartisan effort on this bill and so many other pieces of legislation that moved through our committee.

And thank you, Ms. WATERS, for joining me in this effort.

Mr. 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. 5117, 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.

GENERAL LEAVE

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

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

There was no objection.

RECOGNIZING THE 50TH ANNIVERSARY OF THE INTERSTATE HIGHWAY SYSTEM

Mr. PETRI. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 372) recognizing the 50th Anniversary of the Interstate Highway System.

The Clerk read as follows:

H. CON. RES. 372

Whereas on June 29, 1956, President Dwight D. Eisenhower signed the Federal-Aid Highway Act of 1956 to establish a 41,000-mile National System of Interstate and Defense Highways, known as the ''Interstate Highway System'', and the Highway Revenue Act of 1956 to create a Highway Trust Fund;

Whereas in 1990, the National System of Interstate and Defense Highways was renamed the ''Dwight D. Eisenhower National System of Interstate and Defense Highways'' to recognize President Eisenhower's role in the creation of the system;

Whereas in 2006, this web of superhighways, now spanning a total of 46,876 miles throughout the United States, has had a powerful and positive impact on our national life;

Whereas the Interstate Highway System has proven vital in transporting people and goods from one region to another speedily and safely;

Whereas the Interstate Highway System has facilitated trade both within our national borders and globally and helped create unprecedented economic expansion and opportunities for millions of Americans;

Whereas the Interstate Highway System has brought diverse communities throughout our land closer together and kept us connected to one another as well as the larger world;

Whereas the Interstate Highway System has made it easier and often more enjoyable to travel to long-distance destinations and spend time with family members and friends who live far away;

Whereas the Interstate Highway System is a pivotal component in our national system of defense and emergency preparedness efforts;

Whereas the Interstate Highway System remains one of our country's paramount assets as well as a symbol of human ingenuity and freedom; and

Whereas this anniversary provides an occasion to both honor one of the largest public works achievements of all time and reflect on how it can remain effective in the years ahead: Now, therefore, be it

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

That Congress—

(1) recognizes the golden anniversary year of the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(2) recognizes the achievements of the Federal Highway Administration (and its predecessor,

the Bureau of Public Roads), the State departments of transportation, and the highway construction industry, including contractors, designers, engineers, laborers, materials producers, and equipment companies, for their contributions to the construction of the Interstate Highway System and the quality of life of the citizens of the United States; and

(3) encourages citizens, communities, government agencies, and other organizations to promote and participate in celebratory and educational activities marking this uniquely important and historic milestone.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 372.

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

There was no objection.

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

Thursday, June 29, will mark the 50th anniversary of the Federal law that brought America its unparalleled interstate highway system. This 46,508-mile web of superhighways has transformed our Nation and our Nation's economy. It is a symbol of freedom and it is a tribute to human ingenuity.

As America entered the 20th century, good roads, even paved roads, were not common. In addition, it was rare for roads in one State to link up with roads in adjacent States. Roads might lead outward from cities, even to State lines, but there was no guarantee they would meet other roads in neighboring States. The concept of an interstate system as we know it today can be traced back to a 1939 report to Congress called ''Toll Roads and Free Roads.''

In 1944, the National Highway Committee, appointed by President Franklin Delano Roosevelt and headed by Commissioner of Public Roads Thomas MacDonald, produced plans for a national system of approximately 34,000 miles of expressways.

However, it was the efforts of President Dwight David Eisenhower that gave us the interstate highway system we have today. Eisenhower personally witnessed the need for a national highway system in 1919, when as a young lieutenant colonel in the Army he helped staff a convoy of 81 military vehicles from Washington, D.C. to San Francisco. It is kind of a modern day Lewis and Clark Expedition. The journey took 62 days, and the convoy averaged 6 miles per hour. On today's interstate system, such a trip could be easily completed in less than a week.

During the journey, Lieutenant Colonel Eisenhower formed the opinion that the United States desperately needed a better highway system. Eisenhower made the creation of an interstate system a keystone of his domestic agenda when he came into office in the early 1950s.

Eisenhower's original effort to pass legislation to create an interstate system went down in defeat in July of 1955. He was unwilling to accept defeat, however, and he resumed his campaign in 1956. Eisenhower's plan required the Federal Government to bear the majority of the construction cost, recognizing this massive public works project was vital to interstate commerce, national defense, and economic growth. His plan also established a user fee-based financing plan through a gas tax and this funding source is still the bedrock of the current Federal Aid Highway Program.

Congress passed the Federal-Aid Highway Act of 1956 in June of 1956, and on June 29, 1956, President Eisenhower signed the bill into law and set in motion the interstate system as we know it today.

I am honored to be here this afternoon to recognize the 50th anniversary of the interstate system, and I look forward to taking part in the other events that are planned throughout this month to honor this historic anniversary.

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

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

I thank the gentleman from Wisconsin for his very thoughtful historical rendition of the evolution of the interstate highway program.

This resolution honors the golden anniversary of the Dwight D. Eisenhower National System of Interstate and Defense Highways. But the original interstate highway, one that linked several States, was charted by George Washington in 1784, a year after the Revolutionary War concluded. Traveling to the Ohio country on horseback, Washington carefully observed the people and the land. He saw that settlers were trapped, that they could fall under the control, as he wrote, of ''the Spaniards on their right or Great Britain on their left.'' He recognized the need to unite our new Nation by opening, as he called it, a smooth way through the Appalachian Mountains to enable the settlers, again as he put it, ''to pass our markets before the trade may get into another channel.'' A quaint way of saying things.

Washington determined the best route through the mountains was Nemacolin's Trail, a network of old Indian hunting paths that Washington knew well from his early days as a surveyor. It took almost 50 years to convert the trail into the first federally funded interstate highway that we now know as the National Road.

There is little dispute that, as Chairman PETRI mentioned earlier, Thomas Harris MacDonald, chief of the Bureau of Public Roads for 34 years, from 1919 to 1953, was the visionary who developed the initial plans for the present day interstate highway system. In fact, Chief MacDonald's stature was such that when I started here on the Hill as a junior staff person on the Subcommittee on Rivers and Harbors of the Committee on Public Works his name was revered. The people almost bowed in mentioning his name. He really developed the plans for the present interstate highway system.

In 1938, the Congress mandated development of a plan for an interstate highway system. MacDonald laid out the plan in a report entitled ''Toll Roads and Free Roads,'' 1939. Based on that report, Congress in 1944, as it could see the end of World War II, directed the Bureau of Public Roads to undertake a study of a nationwide system of interconnected highways, totaling some 44,000 miles.

□ 1330

That national system of interstate highways directive by the Congress, was carried out by the Bureau of Public Roads, with a plan to link major cities; that is, those of 50,000 population and more. But it did not provide a funding mechanism.

And in the aftermath of World War II, as the Nation rushed to reintegrate the 16 million men and women who served the U.S. in the great war, put aside the development of a highway plan as we rushed to convert to civilian purposes industries that had built machinery of war.

But MacDonald continued working tirelessly with State departments of highways, with urban planners, with others, to continue developing this idea of an interstate highway system. He had sustained it through the Great Depression, he had sustained the idea through World War II.

He was not dismayed by the rush to civilianize the war-time economy of the United States. He kept working on this until his retirement in 1953. Indeed it was, as Chairman PETRI said, President Dwight Eisenhower who exercised the political will and leadership to take this vision to reality.

But there was also another force, the increasing congestion on our Nation's highways, and with it, the increasing death rate on our Nation's highways. It was projected in 1951, 1952, that if we did not do something about the congestion on our highways and the rising death toll, we would be killing 100,000 people a year on America's highways. That was the driving force behind moving to the next stage and bringing the vision of an interstate system to reality.

I will not repeat the very thoughtful and I think erudite presentation that Mr. PETRI cited of President Eisenhower as a lieutenant colonel taking the convoy across the United States. He stated that was an experience that lingered in Colonel Eisenhower, General Eisenhower, President Eisenhower's mind as he confronted this issue.

His great thought was to tap General Lucius Clay to head a commission to take the idea of the 1944 Congress report, the MacDonald report, and work with the Governors again, with other interested parties, and develop a plan to finance this system. That is what the Clay Commission report did that was really different.

It set forth a plan for a viable funding mechanism to undertake the interstate highway system with an idea that you would have a dedicated revenue stream so that at the beginning of the project planners could see their way to the end of that project.

That was what truly launched the interstate highway construction program. My predecessor, John Blatnik, who served in this body for 28 years on the Committee on Public Works and was its chairman for 4 years, was one of the five House co-authors. It was largely the House of Representatives that drove this issue forward.

I remember many discussions with Mr. Blatnik talking about the discussions that went late into the evenings and about how to finance the interstate highway system.

President Eisenhower's Secretary of the Treasury favored a bonding program, which would have greatly enriched Wall Street investors, but the House held out for an egalitarian tax that everybody would pay, calling it a fee, a fee to build the interstate highway system.

And that fee started out to be 3 cents, a fuel excise tax. But after one year of experience with the 3-cent tax, they realized this was not going to be enough and came back the following year, in 1957, and passed 1 additional cent, an increase in that fee. That passed this body, if you can imagine it, on a voice vote. We can hardly pass anything on a voice vote today. But that was done in those days, because there was a need to move ahead.

The original authorization was for a system of 42,500 miles and today, as Mr. PETRI already said, it is 46,876 miles. You have to keep asking the Highway Administration how many more miles have been added because some continue to creep in as designated segments of the interstate.

But the States responded immediately. Eisenhower signed the bill into law June 29, 1956. By September, projects were under construction, because the States were ready. They knew they had to move ahead quickly. They knew we needed this system of divided, access-controlled, interconnecting highways that would theoretically allow you to travel from coast to coast or from border to border without a traffic light.

Now, of course today that is not possible, but the principle of coast to coast and border to border travel was realized with the interstate highway system. We now have invested $128.9 billion, the Federal Government in partnership with the States, the Federal share an estimated $114.3 billion.

And the marvel is that this system that represents 1 percent, just a little over 1 percent of the Nation's total public road mileage, carries 24 percent of all the highway travel, 40 percent of all travel by single-unit and combination trucks, 721 billion vehicle miles estimated to travel annually on the interstate highway system.

It is the marvel of the world. Every year there are delegations from other countries who come here to meet with us on the Committee on Transportation and Infrastructure to ask how did you do it? How did you finance it? How do you keep it going? How do you keep it in good shape? It is an engineering marvel of the world.

Washington, President Washington, General Washington's original version of a national road has now been fulfilled.

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

Mr. PETRI. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me time.

Mr. Speaker, I rise in support of the resolution. I thank the gentleman from Michigan for his remarks. My particular interest in this legislation, in honoring the interstate transportation system, is the gentleman that has been mentioned in both remarks, and that is President Eisenhower, a fellow Kansan, and that historic moment on June 29, 1956, when our President initiated the interstate highway system, is one that we memorialize in Kansas. We are very much a transportation-dependent State. We are land-locked in the middle of the country and roads and highways that lead elsewhere are lawfully important to us, particularly in the sense of commerce and moving industrial goods and agricultural commodities to market.

But President Eisenhower, in his life and his involvement in the interstate system, is memorialized in Abilene, Kansas, his hometown, at the Eisenhower Center where photographs of the interstate construction are on display.

Mr. Speaker, I rise this afternoon just to again remark about this remarkable individual, this former general, this former President of the United States, who had the foresight as a military leader and commander to bring the country together in regard to a transportation system that is so important to us today.

So as a Kansan, I am here to pay tribute not only to the interstate system, but to President Dwight D. Eisenhower. I thank the committee and the gentleman for yielding me the time and for bringing this occasion to the House floor today. I urge my colleagues to support this historic occurrence that matters so much to Kansas and Americans in 2006, 50 years later.

Mr. OBERSTAR. Mr. Speaker, can I inquire how much time is remaining on our side?

The SPEAKER pro tempore. The gentleman has 9 minutes remaining.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the ranking member for the time. I too rise to commemorate the 50th anniversary, the great vision of President and General Dwight David Eisenhower, in terms of the national highway system.

Fifty years. It is a long time. And now we need to look forward to the next half of the first century of the national highway system, and that is going to constitute quite a challenge. We, just after some lengthy struggle, finally reauthorized the highway program with SAFETEA–LU last summer.

But what we see looming before us is a system that is starting to show its age. The cracked bridge problem in Oregon, failing bridges that were constructed actually with 1950s technology, just before we moved to prestressed concrete, the cast-in-place bridges, and other places around the country. The system is showing its age, the wear and tear, it is showing in places that it is not up to the task of current traffic volumes, and we need to look to the future of this great artery of commerce and transportation and recreation transport for Americans, daily commutes to work, to long trips to far-away places within this wonderful country.

And that is a challenge that the chairman of the committee has begun to address with hearings to look at what the future sources of funding will be to meet even greater demands than the initial construction of this system.

So I rise today both to commemorate the 50th anniversary and the visionaries who gave us this great system, and to join with my colleagues here who I know will be part of the solution about how it is going to be celebrated yet another 50 years from today as still an essential artery for commerce and transportation in the United States, because visionaries in this and some near subsequent Congresses recognized the need to continue to invest, reinvest and enhance the system.

Mr. PETRI. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Speaker, I thank the chairman for the work on this legislation today and for making note of the anniversary of the interstate highway system, and as we also honor the work of our past President Eisenhower for his work to make sure that we bear the fruits of the system 50 years later.

The 50th anniversary, we come here today on, but perhaps at this time it is appropriate also that standing on his shoulders we could do what he would like to see at this point in time as we move forward to the second half of that century to build upon what he has already done, to create a new system as we honor his work of the past.

You know, this new system would be one in which we return some of the authority that we have now assumed on the Federal level back to the States to give them more discretion, basically to maximize the resources that are out there to create that great transportation system that we have in this country today. We could do that by returning primary transportation authority and responsibility and taxing authority back to the States.

What would this do? This would free State transportation dollars from the Federal micromanagement that we have seen in the past and other budgetary pressures as well. It would let people back at the States, people who actually use these roads and bridges and tunnels and what have you, to help make the decisions to decide when, how and where and how they are going to finance them. They would make the decisions in the future how they would finance it, they would make the decisions how they would be regulated.

You know, Mr. Speaker, I say in conclusion on this that we can honor this President who was indeed a great President for what he did for this country, but you know he was a greater general for all that he did for this country as well. And as a general he knew that sometimes the best decisions were made by those field commanders who were in the field. And I would just suggest to you, Mr. Speaker, that now is the time to allow the States to assume command.

Mr. PETRI. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker and my colleagues, first of all I want to thank the chairman of our Highway Subcommittee and the ranking member for their leadership and taking time to recognize our interstate system. It is one of our most important Federal assets, particularly as we pay tribute now to the 50th anniversary of our interstate system founded in 1956. You have heard some references to President Eisenhower and his vision, a conservative Republican President in 1956.

And actually some of the history of the idea and really the push for an interstate system was delivered by Vice President Nixon on July 12, 1954.

□ 1345

Vice President Nixon was sent to the National Governors Conference in Lake George in New York, where the Governors had assembled. At that conference, in 1954, is where he proposed to all the Governors on behalf of President Eisenhower an interstate system.

Now, you have to put this in perspective, folks, because the Federal budget was $71 billion in 1954, and he was proposing what would be probably a half a trillion dollar system and infrastructure project in that day. I am sure there must have been a couple of people who said, that is going to be a highway to nowhere.

But, again, that is the kind of vision, that is the kind of foresight leadership that has meant so much to this Nation, particularly because our roads, our ports, our airports are all the heart of our infrastructure and allow us to do the business of our country. The business of our country is commerce.

The current state of our interstate, I am sad to rise on the 50th anniversary and say that it is in disrepair. We heard Mr. DEFAZIO talk about it, but we are congested from the Atlantic to the Pacific, from sea to shining sea. Our interstate needs cry out for help. We need new financing. We need new projects and partnerships to move the business of this country on our interstate highways that are clogged.

We do have two problems. One is financing. We are looking, instead of a trillion-dollar system that might have been proposed in 1954, trillions of dollars in infrastructure. The other thing is regulatory reform. These projects get bogged down in delay. We need to speed up that process which in time can also have costs attached to it.

So we need a vision like Richard Nixon proposed to the Governors association in Lake George in 1954. We need the vision of Dwight David Eisenhower, a conservative Republican President who proposed an interstate system which now links one end of this country and all corners of this Nation together.

Again, this is important, not just looking at the past, but looking at the future and building on what we have inherited and the significant milestone and anniversary in the history of our interstate system.

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

Mr. Speaker, what was unique about and continues to be unique about the interstate highway system is the Federal-State partnership that I referenced earlier, not public-private financing, not bond financing, as was proposed by Eisenhower's Secretary of Treasury and rejected by this House of Representatives, but a shared partnership, shared in financing 90 percent Federal, 10 percent State, shared in designing the route structure and the system to connect cities of 50,000 or greater population throughout this country, and to vastly enhance safety.

What we are hearing since enactment of SAFETEA–LU that took the Federal highway program to new financing, $286.3 billion, is worry about availability of funds for the future and the surface transportation subcommittee, under the leadership of the gentleman from Wisconsin, has held several very thoughtful, productive, in-depth hearings on how not only the interstate, but how the total national highway system will be financed in the coming years.

We also directed a commission to be established in the enactment of SAFETEA–LU to evaluate financing plans and to report back to the Congress on financing.

I am not enamored of public-private financing issues. I am not enamored and am very much opposed to toll systems. They will not be a sustained program. Toll roads, toll bridges would not have brought us the interstate highway system that we have, we enjoy today that was a marvel of the industrial world.

We need to sustain the highway trust fund, keep it a user-based system, and its inherent genius is that it never has nor can it or ever will it run a deficit. In contrast, the surplus funds in the highway trust fund for many years, from 1968 through 1998, were used to finance, to cover up deficits and finance other activities of the Federal Government. We must not allow that to recur, although it has.

There is a surplus built up where the trust fund is being used to overshadow parts of the deficit. We must continue this sustained financing, self-supporting financing mechanism that does not run a deficit, that is user-based, that is broad-based, that is egalitarian in its application.

For President Eisenhower, I would say history should and has already judged him very warmly, not only for his military leadership, but for what he has done for infrastructure and his support, not just passing, but from personal experience of the interstate highway system, which we have already discussed. But he signed into law the legislation establishing the St. Lawrence Seaway, providing for the U.S. partnership in Canada in opening the fourth sea coast of the United States, and creation of the FAA from the old Civil Aeronautics Authority, the first-ever construction funding to help build runways to accommodate the Jet Age in 1958, which was just dawning upon America.

We didn't know what to do with this new-type civilian aircraft, but we knew and engineers knew that they had to have better runways, better taxiways, better terminals. President Eisenhower understood that and signed into law the legislation not only to create the Federal Aviation Administration and the old CAA, but also funding for the construction of the needed high-quality runways to accommodate the Jet Age.

His legacy is really remarkable when we think back in perspective of what was needed to build the base of America, build our economic strength through our transportation infrastructure. What we celebrate in this legislation today is the accomplishment of that interstate highway system. It is a golden anniversary. As my colleague from Oregon, Mr. DEFAZIO, said, I am looking forward to the next 50 years, provided there is enough fuel to get us there.

I join with my good friend and colleague from the State of Wisconsin (Mr. PETRI). His leadership on the subcommittee of surface transportation has been superb in asking all Members to join in support of this legislation honoring the 50th anniversary of the interstate highway program.

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

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

Mr. Speaker, just to conclude and build on the remarks of the dean of our committee, Mr. OBERSTAR, we are celebrating the 50th anniversary of a remarkable thing, a generation of Americans, some have said the Greatest Generation, that thought not just of itself, but of its country and its future and invested in the future.

They were not borrowing against existing assets, against existing assets for current expenses. Instead, they were taxing themselves or paying fees themselves to build for the future to create a greater, productive enterprise here in the United States, one symbol of that, of what we are celebrating today, the 50th anniversary of the interstate highway system, the envy of the world, the backbone of the strongest economy in the world.

I had the opportunity, as a much younger person, to meet Dwight Eisenhower on several occasions. I got out of school when I was in fourth grade to go down to the railway station in Fond du Lac, Wisconsin, one of the last whistle-stop campaign trips, and again once while in high school. These groups come from all over the country to visit their legislators and so on. I was with a group about to meet President Eisenhower in the Rose Garden in the White House.

But in those days Presidents would often, not only Eisenhower, address the country. Not because there was some great crisis, but because they were always trying to rally people to a constructive cause. I remember him often speaking and saying as a former general who had known war that the true strength of a country was not embodied just in its army, though military, though that was a part of it; the true strength of a country was the moral fiber of its people and the productive capacity of its economy.

If those were tended to, you could always build military strength out of that. But if you relied solely on military strength, you would have a hollow strength and would not have the sustainability that the strong economy and character of the people could provide to face any threat.

Part of that strength is our interstate highway system. He led us to build it. It is our job to sustain and to renew it in future generations and, as a part of that, to commemorate its great contribution and success through this resolution. I urge all Members to join us in supporting it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 372.

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

A motion to reconsider was laid on the table.

SUPPORTING RESPONSIBLE FATHERHOOD, PROMOTING MARRIAGE, AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN, ESPECIALLY ON FATHER'S DAY

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 318) supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, as amended.

The Clerk read as follows:

H. RES. 318

Whereas married fathers are more likely to have a close, enduring relationship with their children than unmarried fathers;

Whereas according to a 1996 Gallup poll, 90.3 percent of Americans agree that fathers make a unique contribution to their children's lives;

Whereas in a study of fathers' interaction with their children in intact two-parent families, nearly 90 percent of the fathers surveyed said that being a father is the most fulfilling role a man can have;

Whereas a broad array of the Nation's leading family and child development experts agree that it is in the best interests of children and the Nation as a whole to encourage more two-parent families where the father is actively involved with his children;

Whereas promoting responsible fatherhood can help increase the chances that children will grow up with two caring parents;

Whereas children with fathers at home tend to do better in school, to be less prone to emotional and behavioral problems, and to have more successful relationships;

Whereas boys and girls alike demonstrate greater self-control and ability to take initiative when fathers are actively involved in their upbringing;

Whereas children who are apart from their biological fathers are, in comparison to other children, 5 times more likely to live in poverty, and more likely to bring weapons and drugs into the classroom, commit other crimes, drop out of school, commit suicide, abuse alcohol or drugs, or become pregnant as teenagers;

Whereas the promotion of responsible fatherhood should not denigrate the standing or parenting efforts of single mothers, whose efforts are heroic, lessen the protection of children from abusive parents, cause women to remain in, or enter into, abusive relationships, or compromise the health or safety of a custodial parent; and

Whereas Father's Day is the third Sunday in June: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the millions of fathers who serve as wonderful, caring parents for their children;

(2) calls on fathers across the Nation to use Father's Day to reconnect and rededicate themselves to their children's lives, to spend Father's Day with their children, and to express their love and support for their children;

(3) urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the moral, academic, and spiritual development of children; and

(4) encourages active involvement of fathers in the rearing and development of their children, including the devotion of time, energy, and resources.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

GENERAL LEAVE

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 318.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Res. 318, and I would like to congratulate Representative SULLIVAN on this resolution. The upcoming celebration of Father's Day is time to reflect on the role that fathers play in the development of our children and the stability of our families, and an ever-increasing amount of research supports what common sense has told us all along, that fathers are essential for children's development.

Unfortunately, far too many children today are growing up without the presence of their father, with 24 million children in our country, approximately one-third of all American children, living apart from their biological fathers. Even more alarming, 40 percent of those children, with absent fathers, have not even seen their fathers in the last year. Given what we know about the importance of fathers for children, this statistic is truly alarming.

In my previous profession, I saw firsthand the increase in fatherlessness and witnessed this devastating effect on the young men I worked with. I was excited to receive a call one day from one of my player's fathers who wanted to reestablish contact with his son after many years' absence.

I was really excited and went and found the player, told him his dad had called. I knew that he hadn't seen him for 15 or 20 years. So I told him about this call. I remember the player saying this: he said, you know he really didn't care about me when I was little, and now he only wants to see me because I am doing well in football. The player didn't even call his father back after 20 years. So fatherlessness has become very real to me because of those experiences.

Research performed by the National Fatherhood Initiative has indicated that children, both boys and girls with involved loving fathers, are more likely to do well in school, have healthy self-esteem and avoid high-risk behaviors. But just as the presence of a loving father has positive overwhelming effects on a child, the lack of a father carries extremely negative effects.

Children who live absent their fathers are two to three times more likely to use drugs, experience behavioral problems, be victims of abuse, and engage in criminal behavior.

□ 1400

A few years ago, a greeting card company offered free cards to inmates from a prison to send to mothers on Mother's Day. Nearly all the prisoners took the offer and sent cards to their mothers. So the greeting card company was somewhat encouraged by the success and they decided that they would then make the same offer when Father's Day came around. They offered free cards to send to fathers on Father's Day, and they had zero takers. There was no one in that prison who wanted to send a card to his father on Father's Day, which is a real indictment, I think, of the situation in regard to fatherlessness of those who end up in prison.

It is also important for fathers to foster close, caring relationships with their children. Additional research from the National Fatherhood Initiative suggests that adolescents are less likely to smoke, drink or use drugs if they have a close relationship with their father, and adolescents in intact families are also less likely to be negatively influenced by their peers or engage in delinquent behavior.

So what can be done to improve the state of fatherhood? Perhaps the simplest answer can be found in a sound marriage. It is the basic social contract between parents that provides the optimal environment for raising children.

Research by the Fatherhood Initiative says that the concept of marriage is well-supported in America. In fact, nearly 90 percent of survey respondents disagreed with the statement that marriage is old-fashioned and outmoded. Clearly, there is support for the idea of marriage among Americans, yet at the same time half of all first marriages in our country end in divorce. This is linked to the stability of our families, indicating that we must work harder to make sure that marriage and fatherhood is encourage and supported in our society.

I would just say, Mr. Speaker, in concluding my opening remarks, that from my perspective, working with young people for over 36 years, the greatest crisis, the greatest threat facing our country today is not problems with the economy, is not al Qaeda, but it is simply father absence. If we could undo that extreme difficulty with our society, we would solve probably 80, 90 percent of our social problems in our country.

So I strongly support H. Res. 318 and urge its passage.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, marriage rates are down, divorce is up, unemployment is high, and there are many other social and economic factors which have led to a reduction in the leadership of families by two adults. There are more single family homes and more and more absence of fathers from the lives of children.

I have observed these trends for a number of years and, therefore, rise in strong support of H. Res. 318, a bill supporting responsible fatherhood, promoting marriage and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

As we express our support for responsible fatherhood, we should not forget one key aspect of being a responsible father, regular financial contributions. Many low-income, noncustodial parents are barely able to support themselves, let alone their children. For example, as many as one-quarter of noncustodial fathers have incomes below the poverty line. Moreover, they generally experience multiple barriers to employment, including limited work experience, no high school diplomas, no college degrees, criminal histories, transportation restrictions and substance abuse, which really means that they have problems and need help with those problems.

The multiple barriers to employment coupled with child support enforcement rules that are ill-matched to meet the needs of low-income, noncustodial parents often present major disincentives to work or incentives to work in the informal or underground economy, making this population incredibly difficult to recruit and serve within existing fatherhood programs.

Given the widely understood and acknowledged benefits of an actively involved father in the lives of children, we would see that more children have self-control and are less likely to be found within the penal system. From research, we have observed that 63 percent of suicides, 71 percent of pregnant teens, and 90 percent of homeless runaway children are from homes without a father.

Children who develop relationships with their fathers are more likely to develop healthy adult relationships and to feel secure regarding who they are. A father's presence in a child's life is a powerful deterrent to delinquency.

We should work together to remove barriers from employment that affect noncustodial parents and in many instances prevent them from assuming a supportive role in the lives of their children, and we have to find ways to facilitate their involvement.

I have been pleased to work for the last several years with a noted attorney, Jeffrey Levin, who has written a book about father's rights and responsibilities, and every year before Father's Day we convene a full day of activities, seminars, discussions, programs that are designed to help fathers find the way to come back into or reconnect with their children.

I also want to commend the Governor of the State of Illinois, a former Member of this body, Governor Rod Blagojevich, for establishing a fatherhood council for the State and appointing Attorney Levin to be the chairman of that.

So we know that in addition to encouraging fathers to be involved that we need to do more than that. We need to facilitate involvement by promoting male involvement in Head Start and other early childhood education programs, by supporting Little League and other programs and encouraging fathers to be an integral part of those.

So I commend the gentleman for introducing this legislation, express strong support for it.

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

Mr. OSBORNE. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. SULLIVAN), the author of this resolution.

Mr. SULLIVAN. Mr. Speaker, I would like to thank my colleague and friend from Nebraska (Mr. OSBORNE) for his work on this. It has been great, and as we anticipate the celebration of Father's Day this weekend, I am proud to have introduced H. Res. 318, which supports responsible fatherhood, promotes marriage and encourages greater involvement of fathers in the lives of their children.

Three of my four children are in Washington with me this week, and I find it very fitting that they are here to share in the passage of this resolution. Being a father is one of the greatest blessings in my life. I love my job, but I look forward to the end of the week when I can head back home to Tulsa and to be with my family.

My children Tommy, Meredith, Sydney and Daniel are my number one priority, and I strive every day to show them they are important. I would like to take this opportunity to remind all fathers, including myself, to spend extra quality time with their children on Father's Day and to continue to do so throughout the year.

I introduced this resolution not only to honor fathers but to call attention to the importance of the job. The role that fathers play in the development of our youth cannot be understated.

According to findings by the National Fatherhood Initiative, which have been reiterated already, the closer adolescents feel to their fathers regardless of the type of family structure in which they live, the less likely it is that they will engage in the use of drugs or delinquent behavior. Involved and proactive fathers help to shape confident and productive future citizens.

So as we honor fathers on Father's Day we should also encourage men to evaluate their own participation in their children's lives, because you can never be too involved.

It is also important to note that this bill includes language recognizing the outstanding efforts of single mothers, grandparents and other caretakers. Their efforts are heroic and should be applauded.

As a cochair of the Fatherhood Caucus, as a father and as a concerned citizen, I ask my colleagues to promote responsible fatherhood and support H. Res. 318.

Mr. DAVIS of Illinois. Mr. Speaker, I don't believe that I have any other requests for time.

Again, I simply want to commend Mr. SULLIVAN for his introduction of this legislation, and I believe that was probably one of his sons on the floor with him, and I can imagine how he feels, and that ought to be an example for other fathers throughout America and throughout the world to recognize the tremendous value of providing the kind of love, affection and involvement in the lives of children that they receive from responsible fathers.

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

Mr. OSBORNE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise today in strong support of this resolution.

We often hear about deadbeat and delinquent dads. So it is easy to forget the millions of dads across America who are striving to be good husbands and positive role models for their kids.

Today, we recognize those dads and the tremendous importance of promoting fatherhood in America. There is no denying the invaluable role that a father plays in a child's life.

According to research from the National Fatherhood Initiative, children with involved and loving fathers have a significant advantage in life. They tend to perform better in school, have a healthy self-esteem, exhibit positive social behavior, and avoid drug use and other criminal activity.

But this kind of statistical research really just affirms what we already know to be true: Fatherhood is important. A loving father plays an integral role in the family, and healthy families are the foundation for a healthy society.

This resolution acknowledges that fact, Mr. Speaker, and it is worthy of our consideration and adoption today. I commend the gentleman, Mr. SULLIVAN, for his leadership on the issue and urge support for the resolution.

Mr. OSBORNE. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MCNULTY).

Mr. MCNULTY. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the resolution. I want to echo what others have said about the importance of family.

When we talk about priorities, we have a long list and wide range of them. I think it is critically important to keep family first.

I enthusiastically support the resolution, and I want to say how much our children, Nancy's and mine, Michele, Angela, Nancy and Maria, mean to us; and how much our five grandchildren mean to us, Teigin, Elijah, Lola, Morgyn and Daniel. They are the light of our lives.

I thank the gentleman for bringing this resolution to the floor. I urge all members to support it.

Mr. MCKEON. Mr. Speaker, today I rise in strong support of H. Res. 318 to encourage responsible fatherhood. As we recognize fathers across the country and in celebration of Father's Day, we honor caring, involved fathers and hearten other men to also hold their children and the family unit in the highest regard.

Numerous studies conducted throughout the years have continued to underscore the fundamental role fathers play in a family and highlight the positive effects they have on children. I want to encourage men who are not already doing so to take the responsibility of fatherhood seriously and to understand that there are considerable consequences to broken-families where there is no male role model for the children.

Children in father-absent homes have a tendency to live in poverty, use drugs, commit crimes, drop out of school, and in the case of young women—become pregnant as teenagers. Conversely, children in homes with fathers who are dependable and active tend to do better in school, are less prone to depression and demonstrate the ability to form more successful relationships.

The role of a father is one to be celebrated. A father provides safety, security, love, and support. Children inherently covet and require these qualities as they mature into young adults, and they deserve the opportunity to prosper and learn in a stable home.

Fathers who dedicate their time, energy, and resources to their children harvest the rewards of their efforts as they watch their children become productive citizens. A father or male-guardian who is committed and dependable acts also as a mentor—leading by example and demonstrating the standards by which we expect young people to live.

Mr. Speaker, as we approach Father's Day, I would like to commend the millions of fathers who already serve as wonderful parents for their children, and I ask my colleagues to also support this resolution for the improvement and encouragement of other men nationwide.

Mr. OSBORNE. Mr. Speaker, I would like to thank Mr. DAVIS for his participation. It seems like we often are involved in these kinds of issues together.

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

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the resolution, H. Res. 318, 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. OSBORNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of H. Res. 862, by the yeas and nays;

Suspending the rules and passing H.R. 4894, by the yeas and nays;

Suspending the rules and agreeing to H. Res. 318, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 862, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 221, nays 194, not voting 17, as follows:

[Roll No. 258]

YEAS—221

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy

Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—194

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

NOT VOTING—17

Barton (TX)
Berkley
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Owens
Payne
Ramstad
Reichert
Sessions
Strickland

□ 1441

Messrs. GONZALEZ, AL GREEN of Texas, McGOVERN, HIGGINS, and Mrs. JONES of Ohio changed their vote from ''yea'' to ''nay.''

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CERTAIN ACCESS TO NATIONAL CRIME INFORMATION DATABASES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4894, 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. 4894, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 1, not voting 16, as follows:

[Roll No. 259]

YEAS—415

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

NAYS—1

Paul

NOT VOTING—16

Barton (TX)
Berkley
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Ramstad
Reichert
Sessions
Strickland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1450

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.

SUPPORTING RESPONSIBLE FATHERHOOD, PROMOTING MARRIAGE, AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN, ESPECIALLY ON FATHER'S DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 318, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the resolution, H. Res. 318, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, answered ''present'' 8, not voting 17, as follows:

[Roll No. 260]

YEAS—407

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

ANSWERED ''PRESENT''—8

Capuano
Honda
Lee
Lofgren, Zoe
McDermott
Miller, George
Stark
Tierney

NOT VOTING—17

Barton (TX)
Berkley
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Reichert
Sessions
Slaughter
Strickland
Waters

□ 1502

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Speaker, on June 13, 2006, I missed the following rollcall votes:

1. Rollcall vote No. 259, H.R. 4894: To provide for certain access to national crime information databases by schools and educational agencies for employment purposes.

2. Rollcall vote No. 260, H. Res. 318: Supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

Had I been present, I would have voted "yea" to rollcall vote No. 259, and "yea" to rollcall vote No. 260.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Ms. SOLIS. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2048, the Motor Vehicles Owners' Right to Repair Act.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 109–501) on the resolution (H. Res. 865) providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, which was

referred to the House Calendar and ordered to be printed.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that, during consideration of H.R. 5576 pursuant to House Resolution 865, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clause 9 of rule XX.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 865 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 865

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with ''to'' on age 5, line 23 through the comma on line 24; beginning with the colon on page 6, line 22 through ''year'' on line 26; beginning with ''for'' on page 13, line 1 through ''Code'' on line 6; beginning with the colon on page 13, line 17 through ''expended'' on line 25; and sections 120, 127, 129, 206, 530, 707, and 931. Where points of order are waived against part of a paragraph, points of order against language in another part of such paragraph may be made only against such other part and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, the rule provides 1 hour of general debate evenly divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. It also provides one motion to recommit, with or without instructions.

I would like to take a moment to reiterate that we bring this rule forward under an open rule. Historically, appropriations legislation has come to the House governed by open rules, and we continue to do so in order to allow each and every Member of the House the opportunity to submit amendments for consideration as long as they comply with the rules of the House.

The legislation that we bring to the floor today appropriates over $67 billion for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, the District of Columbia, and independent agencies, an increase of 6 percent over last year. And yet the bill is fiscally sound. It also represents our commitment to provide the necessary resources for programs and projects across the Nation ranging from transportation to housing, the judiciary, the executive office of the President, and the District of Columbia.

The Nation's transportation infrastructure is the backbone of the economy. Its continued strength is essential to foster economic growth, and the bill that we bring to the floor today ensures that we have a reliable and stable transportation infrastructure, that we continue to do so, so that the economy can continue to grow.

The bill includes $39.1 billion in funds for our highway system, representing an increase of $3.5 billion. Included in the bill is $900 million for Amtrak. It includes significant financial and management reforms. In addition, the DOT Inspector General is required to report back regularly to Congress on Amtrak's progress on financial reforms.

The bill that we bring to the floor also includes over $15 billion for the Federal Aviation Administration, an increase of $1.4 billion. Included in that amount is $16 million to hire and train 132 new air traffic controllers. That is vitally important as air traffic controllers begin to retire and yet air traffic continues to grow. This is essential, for example, in my district, which is the home of Miami National Airport, the third largest international airport in the country. Without an increase in the number of air traffic controllers, Miami International would not be able to continue its projected growth and continue to serve as the Hub of the Americas.

The Department of Housing and Urban Development is funded at $35 billion, an increase of $1.7 billion. These funds will permit the Department to administer programs and assist the public with their housing needs, economic and community development and fair housing opportunities. Under HUD the bill includes funding for such important programs as Tenant Based Rental Assistance, also known as section 8, and project-based rental assistance. These two programs serve almost 3.5 million households with vouchers and project-based housing. The bill includes over $21 billion in funds for the program, an increase of over $800 million.

H.R. 5576 provides $6.1 billion for the Federal Judiciary, an increase, Mr. Speaker, of almost 6 percent. This funding will enable the courts to effectively process priority criminal, civil, and bankruptcy cases.

This legislation was introduced by Chairman JOE KNOLLENBERG and reported out of the Appropriations Committee on June 6 by a voice vote. It is good legislation, essential to our continued commitment to the security and safety of all citizens and residents of the United States; and we bring it forth, as I stated before, under a fair and open rule.

I would like to thank Chairman KNOLLENBERG and Ranking Member OLVER for their leadership on this important issue. I urge my colleagues to support both the rule and the underlying legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Florida, my good friend, Representative DIAZ-BALART, for yielding me time. And I rise today in opposition to this rule and with great concern and reservation about the Transportation, Treasury, Housing and Urban Development Appropriations bill for fiscal year 2007.

While the underlying legislation is a significant improvement over President Bush's proposed budget, I am deeply troubled that Republicans continue to use their inability to manage the fiscal needs of our country as a convenient scapegoat for underfunding or completely eliminating programs of

critical importance to the neediest of Americans.

Let me say from the outset I do believe that the subcommittee, led by Chairman KNOLLENBERG and Ranking Member OLVER, did all that it could do with the unreasonable fiscal constraints that the majority of this body gave them to work with. At the same time, this is the eighth appropriations bill for fiscal year 2007 that the House has considered; and in almost every single bill, the wants of the well-to-do are trumping the needs of the less fortunate. The underlying legislation is following this very unfortunate trend, and its priorities are short-sighted.

While no one single area was completely spared from funding cuts, the Department of Housing and Urban Development and the critical public housing assistance programs funded in this important Department are, without doubt, the worst off in this bill.

Fair housing activities, the Community Development Financial Institutions fund, rental assistance, the Public Housing Capital fund, Community Development Block Grants, and elderly housing, let me go back to that, elderly housing programs, all that I just identified are just some of the many programs whose budgets have been placed on the chopping block in this bill.

I find it incomprehensible as to why the majority in this body continues to cut funding for public housing assistance at a time when people need it most. Do my colleagues realize that it costs much less to keep someone in a home or apartment than it does to put a roof over their head once they have become homeless?

I ask: Where is Congress's commitment to keeping people in their homes? Where is our commitment to helping those most in need? If we are committed to them, then we certainly have a weird way of showing it around here.

Later today, Representative AL GREEN and I are going to offer an amendment to restore funding for fair housing activities at HUD. I am hopeful that the House will approve our amendment along with others who would seek to restore funding for section 8 vouchers, rural housing programs, and the HOPE VI program, which is completely eliminated in this bill.

□ 1515

Additionally, the underlying legislation cuts Amtrak's funding next year by more than one-third to a level that is barely half of what Amtrak has identified to continue operating at its current level.

Yesterday in the Rules Committee, the subcommittee's ranking Democrat, my good friend, Representative OLVER, asked that his amendment restoring $400 million in Amtrak funding cuts be made in order under the rule.

Why did he need a waiver? Because unlike other amendments that will be offered today, Mr. OLVER's amendment would have paid for itself by rolling back a small portion of the tax cuts to those making $1 million or more. The rule, however, blocks Mr. OLVER from offering his amendment. As a result, the House will never have the opportunity to vote on restoring funding cuts to Amtrak.

I find it so difficult to believe that we think that it is okay to have a second-hand rail system in this country. That is foolish. And somehow or another we must preserve the integrity of the last remaining rail system of consequence for people in a corridor to be transported.

Finally, I intend to offer an amendment which prohibits the Federal Aviation Administration from consolidating or eliminating Terminal Radar Control Centers, or TRACONs, at airports in federally designated high threat urban areas.

In some places, FAA's TRACON consolidation program is leaving entire States without an approach radar system to coordinate and oversee approaching air traffic in that State. In other instances, consolidation runs the risk of placing undue stress on nearby TRACONs already having to deal with larger air spaces and staffing shortfalls.

The consolidation of these centers in high risk urban areas which are already considered to be at greater risk for terrorist attack or for natural disasters is not good policy. Do we really want to limit the capacity of our air traffic radar systems during national emergencies, especially if Congress can do something about it?

I hope that my colleagues will support my amendment later today. Case in point. In West Palm Beach, Florida, what we find is that one is being consolidated into Miami. And if that whole radar system goes down, when we have a natural hurricane disaster, as is always the potential, then we do not have, if the Miami system goes down, the backup of the West Palm Beach radar system. Mr. Speaker, I find it very difficult to believe that FAA does not understand that.

Mr. Speaker, in my 14 years in the House, I have been fond of saying that the budget and appropriations bills present Congress with the opportunity to outline its priorities. The underlying transportation appropriations bill provides the American people with the grim reality that the majority in this body would rather cut the taxes of those of us in our society who are better off financially, they would rather cut our taxes than pay for housing assistance programs which benefit the less fortunate in our country.

This is not political rhetoric, as some on the other side of the aisle may suggest today. On the contrary, it is the obvious and very real fiscal mess which we have all brought upon ourselves. How we get out of this mess will be up to the American people in just a few short months. I urge my colleagues to oppose this rule.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply would reiterate that the legislation we bring to the floor today by this rule appropriates 6 percent more for the Departments of Transportation and Treasury and Housing and Urban Development, and the Judiciary and District of Columbia and other agencies, 6 percent more than last year.

And we are proud of the legislation we bring forth. I know that Chairman KNOLLENBERG has worked long and hard, as well as many of our members of the Appropriations Committee on this legislation, to prioritize needs and to bring forth as fair a piece of legislation as possible.

With regard to the area of housing, the bill, as I stated before, includes funding for important programs such as the tenant-based rental assistance, also known as Section 8, and as a matter of fact, the bill includes over $21 billion for the program, an increases of over $800 million from last year.

I think Chairman KNOLLENBERG has done a very good job, and he deserves our commendation, as do the other members of the committee.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before yielding to Mr. OLVER, I would just respond to my friend who brags about a 6 percent increase. He and I have districts that are very close to each other, we adjoin each other, but we evidently live in different sections of south Florida where fair housing programs are being cut in this program, with a 2.2 percent reduction.

Community development financial assistance, a cut of $15½ million; tenant-based rental assistance program that you just talked about, my good friend from Florida, is funded at $14.3 billion. You say that is a great increase. Guess what the administration requested? $100 million more that they did not get.

Project-based rental assistance is cut $200 million. Cost-share requirement for HUD earmark, the bill requires that HUD earmarks in the bill is subject to a 40 percent cost sharing. Rural housing received a cut. Public housing capital fund, $261 million, 10 percent below for fiscal year 2006.

How in the world can you all make increases out of cuts, when in fact people are hurting and need adequate housing?

Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, once again, I am going to dwell upon what my Member from the Rules Committee has already spoken about. The majority of the House shows its true priorities.

The rule that we have before us today does not make in order my amendment that reflects some very important national priorities. My amendment would have added a badly needed $1.7 billion to the bill. Specifically it would have provided increases for the following programs: First, $400 million for Amtrak, which would bring total funding to $1.3 billion, just barely above last year's $1.294 billion, and allow Amtrak to continue to provide national intercity passenger rail service.

Remember that the Transportation, Treasury, HUD bill proposes a $900 million amount for Amtrak, which is below, $394 million below the 2006 enacted, which would at least require substantial cuts in service provided, and probably in routes, the termination of routes in order to manage to get through the year. And without that money, they would have no chance of dealing with the huge backlog of infrastructure improvements that affect reliability and safety of the system.

Second, the amendment would have provided a $636 million increase for public housing operating fund. That is the level of funding of $3.56 billion that is already there, but that account funds the operating costs that exceed the rents that the public housing authorities may legally collect, and provides for major operating costs, including building maintenance, utilities and services for residents.

Remember that public housing authorities operate in every single congressional district in the country and serve the lowest income elderly people, for the most part, in that process. And the President's request, according to HUD's figures, only provide 85 percent of the authorities' operating requirement.

Third, the amendment would have provided a $261 million increase for the public housing capital fund, which is funded in the bill at 10 percent below fiscal year 2006. Funding for this has declined steadily since 2001 when $3 billion was provided, and there is a $20 billion backlog in public housing capital repair needs, which really goes to the backlog of modernization, rehabilitation and replacement of housing units.

Fourth, $144 million was provided in my amendment for tenant-based voucher programs, which just would restore funding levels to the President's request in the President's budget for this year.

Fifth, $100 million was provided in my amendment for the HOPE VI program for revitalization of public housing. The bill before us provides no funding for HOPE VI. This is the fourth year in a row that the administration has proposed eliminating the program, and it is zeroed out in the committee bill before us as the program for revitalizing severely distressed public housing.

Sixth, there was a total of $89 million provided for increases in construction for housing for the elderly and housing for the disabled, which with what is provided in the bill would bring the total for that pair of accounts to less than 1 percent above the enacted level of 3 years ago, and this at a time when all of the demographic studies show that the average age of our population is rising steadily, and our over-80 elder population represents the fastest growing cohort.

Seventh, $30 million increase for the CDFI program, which has been enormously successful in leveraging, by at least 20–1, additional private investment in underserved communities. $40 million is appropriated for the CDFI fund, and while the subcommittee bill is an improvement over the President's request, it is still a 25 percent cut from the 2006 enacted number.

Eighth, there was a $30 million amount for the rural housing and economic development program that is zeroed out in the bill before us. My amendment was fully offset by a 4.11 percent reduction to the tax cuts for individuals making over $1 million annually. That represents a $4,700 on average cut from the $114,000-plus tax cut for those millionaire individuals.

The chairman of the subcommittee had faced difficult choices in this bill. The President's budget was inadequate in many respects, and left holes that had to be filled. The chairman did his best to provide a fair allocation of money within the amount assigned to the subcommittee, and in spite of the chairman's creativity, many problems still remain because of the majority party's decision to make tax cuts to the wealthiest 1 percent their number one priority. The majority party would rather help those that do not need help than those that do. My amendment would have corrected some of this imbalance.

I urge all of my colleagues to put our national priorities first and oppose this rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply reiterate that we bring this legislation forth with an open rule, which means that any Member of the House who has an idea for more funding for one program, less funding for another, they can bring forth any amendment as long as they obviously follow the rules of the House.

So we are bringing forth this appropriations bill with an open rule, we look forward to debate. We think it is good legislation.

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

□ 1530

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), my good friend and classmate.

Mr. BLUMENAUER. Mr. Speaker, I will be brief. I appreciate the gentleman's courtesy; and I agree, this is a difficult challenge that the committee has faced. I look forward to full and vigorous debate.

I would just call attention to one element here on page 77, where the committee expresses its reservations about using land use and economic development as measures for new starts in terms of transit projects; and I would respectfully suggest that we need to have a serious conversation with the committee and staff, because they are sort of missing the boat in terms of what we did laboriously in the transportation and infrastructure committee for the last 2 years. There are 84 communities around the country that are interested in streetcars under the Small Starts Program to be able to move forward in something that isn't as expensive as light rail or heavy rail.

The whole reason communities are interested is because it has very powerful economic development impact, and it can prevent congestion in the first place because it encourages development along that streetcar line. The streetcar line can be built quickly, cheaply; and it prevents people from having to move out to vast stretches of the countryside and then come in.

I would hope that we would be able to work with the subcommittee to be able to give them examples of what is happening around the country and why people in Chicago and Charlotte are interested in what has already happened in my community in Portland, Oregon.

The subcommittee's suggestion that somehow this money come from HUD community block grant funding is a little off base because my understanding is those monies aren't supposed to be for transportation. The streetcar program, the Small Starts Program, is very definitely transportation, very definitely transit; and it enables us to avoid some of that congestion in the first place.

I look forward to a conversation with the committee at a later date.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we have no further speakers on this side of the aisle, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I rise today to ask my colleagues to oppose the previous question. I do not think it is appropriate to let this bill go through without an up-or-down vote on whether or not Congress should have an increase in its own pay.

The effect of this legislation is that is exactly what is going to happen. Here we are in a circumstance where we continue to swim in a lake of red ink, $8 trillion now. Our debt is above that now.

We just voted on a $94 billion supplemental earlier today. I don't think it is appropriate to have this cost increase, this increase in salary for Members of Congress go through without an up-or-down vote. That is why I encourage my

colleagues to oppose the previous question, because a ''no'' vote on the previous question will give Members the opportunity to vote up or down on the automatic cost-of-living pay raise for Members of Congress.

If the previous question is defeated, I will offer an amendment to this rule. My amendment will block the fiscal year 2007 cost-of-living pay raise for Members of Congress. I urge my colleagues to vote ''no'' on the previous question so that we can have a debate and vote on this issue in the light of day.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I have no further speakers at this time, and I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, again I am very proud of the work of Chairman KNOLLENBERG and the rest of the Members who have worked hard on this appropriation bill. We think it is a good bill. It is fair. We bring it forward to an open rule, which permits any germane amendment to be introduced, discussed, debated by this House.

I look forward to the debate. We are proud of the underlying legislation as well as the rule that we bring it forth with.

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

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 249, nays 167, not voting 16, as follows:

[Roll No. 261]

YEAS—249

Abercrombie
Ackerman
Akin
Alexander
Andrews
Baca
Bachus
Baker
Baldwin
Barton (TX)
Bass
Beauprez
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Bonilla
Bonner
Bono
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capuano
Cardin
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Dreier
Ehlers
Engel
English (PA)
Eshoo
Everett
Farr
Fattah
Feeney
Ferguson
Foley
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Harris
Hastings (FL)
Hastings (WA)
Hefley
Herger
Hinchey
Hinojosa
Hobson
Hoekstra
Honda
Hostettler
Hoyer
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Linder
Lipinski
Lowey
Lucas
Lungren, Daniel E.
Mack
Marchant
Markey
Matsui
McCarthy
McCotter
McCrery
McDermott
McGovern
McHugh
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, Gary
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Neal (MA)
Ney
Nunes
Oberstar
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rangel
Regula
Rehberg
Reyes
Reynolds
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schmidt
Scott (VA)
Serrano
Shadegg
Shaw
Sherman
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Stark
Sullivan
Sweeney
Tancredo
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—167

Aderholt
Allen
Baird
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berry
Bishop (NY)
Boozman
Boren
Boswell
Boustany
Bradley (NH)
Brown (OH)
Brown-Waite, Ginny
Burgess
Capito
Capps
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cuellar
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
DeFazio
Delahunt
Dent
Doggett
Drake
Duncan
Edwards
Emanuel
Emerson
Etheridge
Filner
Fitzpatrick (PA)
Flake
Forbes
Ford
Fossella
Foxx
Gerlach
Gibbons
Gingrey
Goode
Gordon
Green (WI)
Hall
Hart
Hayes
Hayworth
Hensarling
Herseth
Higgins
Holden
Holt
Hooley
Hulshof
Inslee
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
Kucinich
Kuhl (NY)
LaHood
Langevin
Latham
Leach
Lewis (KY)
LoBiondo
Lofgren, Zoe
Lynch
Maloney
Marshall
Matheson
McCaul (TX)
McCollum (MN)
McHenry
McIntyre
McKinney
McMorris
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Moore (KS)
Moran (KS)
Murphy
Napolitano
Neugebauer
Northup
Norwood
Obey
Osborne
Otter
Paul
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Renzi
Rogers (KY)
Rogers (MI)
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanders
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Shays
Sherwood
Shimkus
Shuster
Simmons
Snyder
Sodrel
Spratt
Stearns
Stupak
Tanner
Taylor (MS)
Taylor (NC)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Walden (OR)
Wamp
Westmoreland
Whitfield
Wu

NOT VOTING—16

Berkley
Boehner
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Reichert
Sessions
Strickland
Weldon (PA)

□ 1605

Mr. MURPHY, Mr. DUNCAN, Mrs. DRAKE, Mr. JENKINS, Mr. FLAKE, Mrs. MALONEY, Messrs. KIND, COBLE, SHIMKUS, NORWOOD, RYAN of Wisconsin, MILLER of Florida, PAUL, PICKERING, FOSSELLA, HAYES, PETERSON of Minnesota, HENSARLING, Mrs. CAPITO, Messrs. ROGERS of Kentucky, RENZI, BURGESS, GERLACH, CARTER, DAVIS of Kentucky, SCHWARZ of Michigan, WESTMORELAND, LATHAM, and HALL changed their vote from ''yea'' to ''nay.''

Mr. FATTAH, Ms. SLAUGHTER, Messrs. GENE GREEN of Texas, RANGEL, STARK, WAXMAN, NADLER, OWENS, and PASTOR changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). The question is on the resolution.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 221, noes 194, not voting 17, as follows:

[Roll No. 262]

AYES—221

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.

Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—194

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

NOT VOTING—17

Berkley
Brady (TX)
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Reichert
Sessions
Strickland
Weldon (PA)
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1614

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Speaker, on June 13, 2006, I missed the following rollcall votes:

(1) Rollcall No. 261, Previous Question on H. Res. 865.

(2) Rollcall Vote No. 262, Adoption of H. Res. 865, the Rule for H.R. 5576—Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act for FY07.

Had I been present, I would have voted "nay" to rollcall vote 261, and "aye" to rollcall vote 262.

PERSONAL EXPLANATION

Mr. WELDON of Pennsylvania. Mr. Speaker, on rollcall No. 261 and 262, I was unavoidably detained giving a speech to a policy conference sponsored by Brookings Institute.

Had I been present, I would have voted "no" on 261 and "aye" on 262.

GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5576, and that I may include tabular material on the same.

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

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 865 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5576.

□ 1616

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

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

The gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

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

I am pleased to present the House H.R. 5576, the fiscal year 2007 Transportation-Treasury-HUD appropriations bill, which was passed out of committee by a voice vote on June 6.

As you know, this is only the subcommittee's second year with its current jurisdiction, and I believe the product before the House is worthy of strong support. It is a fiscally responsible bill funding high priority programs and eliminating Federal funds for other programs that are duplicative or ineffective.

I am aware of a number of amendments that would seek to undo these decisions, but I want people to know we made these decisions by looking at program performance, effectiveness and a balance of other priorities in the bill.

The bill before us is at our 302(b) allocation of $67.8 billion in BA, and provides total budgetary resources, including transportation obligation limitations and mandatory spending of $139.7 billion, an increase of $8.5 billion over last year and $1 billion over the request.

Many of the increases over the budget request are due to House rule mandating certain funding levels for highways, transit and aviation programs; restoring CDBG funding in the bill; and some scoring differences between CBO and OMB.

Mr. Chairman, I would like to salute the hard work of the subcommittee

members, both on the majority and minority side of the aisle. The bill before us is the product of numerous budget hearings and thoughtful input of each member of the subcommittee, and they deserve to be saluted.

Mr. Chairman, I also want to acknowledge the role the subcommittee's ranking member, the gentleman from Massachusetts, played in assembling this bill. I consider Mr. OLVER a partner in creating the product before you because his input has been invaluable. I believe this bill is stronger because of the input that Mr. OLVER has provided.

And without much fanfare, I would like to give a quick overview of what we have been able to accomplish under our allocation.

In transportation, we have met all of the guarantees for surface transportation and safety and aviation infrastructure as included in SAFETEA–LU and Vision-100. For FAA operations, we have provided funds for 132 net new controllers, plus an additional $16 million over the request for safety inspectors.

I realize there will be a lot of attention paid to Amtrak today, tonight, and perhaps even tomorrow. The bill provides $900 million, the same as the budget request, and $394 million below last year's enacted level. The bill continues our tough stance requiring Amtrak to reduce losses and achieve operational efficiencies with close supervision by the Inspector General.

I would emphasize this is not the ''Amtrak'' bill. There are a number of priorities in this bill and any amendment seeking to just slash other accounts, accounts that everyone will agree cannot sustain the cuts proposed by these amendments, is just plainly irresponsible.

The subcommittee had two priorities to meet for HUD in 2007. First and foremost was the full funding of Section 8 renewals. Failure to fully meet these commitments would have resulted in thousands of families losing their assistance and becoming homeless. We have met those needs.

Our second priority is to restore, to the maximum extent possible, the formula funding for cities and towns across America through the Community Development Block Grant. As you know, the administration proposed to cut this program by $1 billion which was funded at $4.2 billion last year. I am pleased to say we were able to fully restore funding for CDBG for fiscal year 2007.

To achieve this, however, the committee had to do a broad sweep of duplicative and lower priority programs throughout the Department, including boutique programs that have typically been funded by reducing the amounts in the formula CDBG program. It is never easy to stop funding a program once it starts getting Federal funds, but we have to make these decisions in order to meet our main funding objectives.

For the IRS, the bill provides $10.5 billion, $110 million below the budget request and $63 million below last year's enacted level. This level of funding will allow the IRS to maintain current services with some hard choices. I should warn everyone that further cuts to the IRS would severely impact their ability to meet their mission. I also note we took the first step to restructure the IRS accounts to more closely align with their core missions, taxpayer services and enforcement.

For the Judiciary, the bill provides sufficient funding to maintain the current services of the Federal Judiciary, including rent and personnel increases.

For the District of Columbia, we provided the budget request for Federal payments to the District for tuition assistance, court costs and school improvement. We were able to fund the Navy Yard Metro Station through FTA's New Starts program, and provide $1 million for the Central Library improvements. As for the District of Columbia's local budget, the bill appropriates the budget and financial plan by reference, carries many of the same general provisions of the past, and includes no new riders.

We restored funding for the High Intensity Drug Trafficking Areas Program to $227 million, slightly more than last year. Executive Office of the President programs are funded at the requested levels.

All in all, after much hard work and discussion, I believe we have a balanced bill before us. No, we didn't fund every program, but we did fund the higher priorities under our jurisdiction that will deliver the best results to the most people, and that I believe is our responsibility. Also, we have included Member priorities in this bill.

I would especially like to note that Member projects in this bill are less than one-third of what they were in last year's bill. I will repeat that: Less than one-third of what they were in last year's bill, demonstrating yet again the committee's commitment to earmark reform and the fact that it is real. Each project was a part of the budget request or authorized under an existing program in law, and requested by a Member of Congress as being important to the district and the people they represent.

This is a fiscally sound bill, scored repeatedly by CBO. There are no gimmicks, no date changes, no unreal savings.

Again, Mr. Chairman, this is a balanced bill and I urge the Committee's support for it.

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

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

Mr. Chairman, at the outset I want to thank the gentleman from Michigan and his staff for the constructive relationship we continue to build. As Chairman KNOLLENBERG put this bill together, he and his staff considered concerns raised by the majority and the minority coming from subcommittee members, full committee members, and the general membership of the House. Where he could help, he resolved many of those concerns, and I thank him for that.

I also want to thank the excellent staff on both sides of the aisle for their hard work on this legislation. On the majority side, Dena Baron, the majority clerk, Cheryle Tucker, Jason Woolwine, Tom McLemore, Tammy Hughes, David Napolielo, Alice Hogans and Peter Lee.

And on the minority side, Kate Hallahan and Bob Bonner, and from my staff Matt Washington and David Pugach.

This is only the second time this complex bill has come to the House floor, and I appreciate the work and the long hours that each and every one of those staff members have put in.

I am grateful for the increase in the subcommittee's outlay allocation adopted in the full Appropriations Committee, but I said in the subcommittee markup and full committee markup as well that the allocation to this subcommittee is inadequate to meet the needs, and that is still true. The allocation, even as revised, forced Chairman KNOLLENBERG and staff into a struggle to plug as many holes as they could as creatively as they could. In that process, several serious omissions and cuts proposed in the President's budget have been restored, notably CDBG funding, essential air services, additionally safety inspectors under FAA, and for construction of elderly and disabled housing, and for funding the important Navy Yard Metro Station in our capital city. That was no small feat.

I particularly want to commend Chairman KNOLLENBERG for his thoughtful approach to our capital city's budget which is part of this bill. While the District of Columbia makes up only a small portion of our combined bill, the value of the initiatives funded through this bill cannot be understated, and I thank Chairman KNOLLENBERG for his commitment to ensuring no new policy riders were placed on the District of Columbia. I sincerely hope that we can continue to work on striking a balance between the congressional responsibilities for the District of Columbia with the desire of Washingtonians to have a direct say with how the District is governed.

Mr. Chairman, I will support this bill on final passage, but if this were a conference report I would have to oppose its passage, and I want to take a few minutes to examine what I believe drives this bill this year and in the future.

Mr. Chairman, I am very concerned about the impact that meeting SAFETEA–LU guarantees is having on other agencies and accounts in the bill. I believe that the transportation guarantees placed on this subcommittee by the authorizers ties the hands of this committee from properly funding other domestic programs included in this bill that are just as important.

As this bill was drafted, authorized guarantees had to be met or this bill is subject to a point of order. For example, in FHWA the President's budget met all of the SAFETEA–LU guarantees. However, in FAA and FTA, the President's budget was well below the authorized level. The President's request was $607 million below the authorized level in the facilities and equipment account and $950 million below in airport improvement. In FTA, the Capital Investment Grants Program was $100 million below the authorized level. These shortfalls come to a total of over $1.6 billion. The monies being added to the subcommittee's allocation allowed the chairman to bring these items to the guaranteed level.

I believe that the transportation guarantees are strangling other agencies in our bill. Without honoring the SAFETEA guarantees, the gentleman from Michigan could have increased funding for several key programs in this bill. For example, in HUD we could have used these funds for brownfields, HOPE VI and rural housing, which were all zeroed out. The additional funds could have been used to shore up the underfunded public housing operating fund and the public housing capital fund, or to add to section 8 tenant and project-based voucher programs which were cut below the President's request. The items that I have listed are only the tip of the iceberg, and the process I have described can only get worse as the years go by.

Most of these shortfalls that I believe must be improved are within HUD, but also includes the lone transportation item that does not have the protection of an authorization; namely, Amtrak. I had planned to offer an amendment to increase funding for these programs; but, unfortunately, the majority of this House has once again shown that tax cuts for the wealthiest few in our society are more important than housing programs for our most needy citizens.

Mr. Chairman, I am troubled by the cuts that we have been forced to bring forward. I hope that we will be able to continue to improve the bill as it moves forward in the process. We are early in the process. There is much work to be accomplished on this bill between now and a final conference report.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. JACKSON) for a colloquy with the chairman.

□ 1630

Mr. JACKSON of Illinois. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. Chairman, I was disappointed to learn that this bill did not contain funding for the SouthEast Service Line of Metra, the Chicago area's commuter rail service. I have provided the chairman with a letter from Phil Pagano, the executive director of Metra, which I will include in the RECORD.

In the letter, Mr. Chairman, Metra states that it has a package of New Start projects called Metra Connects that were authorized by SAFETEA–LU. The SouthEast Service and the Star Line are two projects in that package that are new rail projects. Both are significant commuter rail projects for the northeastern Illinois region, and both projects currently are progressing on the same time schedule and are at similar stages of development. During the deliberation SAFETEA–LU bill, the Transportation and Infrastructure Committee agreed that both lines would move forward and be funded equitably. Without funding for the SouthEast Service, this agreement is in jeopardy.

I, along with the rest of the Illinois delegation, appreciate and would like to thank the chairman for the money already included for Metra's other new Star projects, and I understand that money overall is tight.

Will the chairman work with me to try to fund this funding in conference?

Mr. KNOLLENBERG. Yes, I most certainly will work with the gentleman from Illinois on this project.

Mr. JACKSON of Illinois. I thank the chairman, and I look forward to working with him to make sure that the transportation needs of northeastern Illinois are met.

NORTHEAST ILLINOIS REGIONAL,
COMMUTER RAILROAD CORPORATION,
Chicago, IL, June 13, 2006.

Chairman JOE KNOLLENBERG,
Appropriation Subcommittee on Transportation, Treasury, Housing and Urban Development, the Judiciary, and District of Columbia, House Committee on Appropriations, House of Representatives, Washington, DC.

DEAR CHAIRMAN KNOLLENBERG: I am writing to express Metra's concern that funds were provided for the STAR Line but not for the SouthEast Service (SES) New Start project as part of the FY '07 Transportation Appropriations Bill.

As you know, Metra has a package of New Start projects called Metra Connects that were authorized in SAFETEA–LU. The SouthEast Service and the STAR Line are two projects in that package that are new rail projects. Both are significant commuter rail projects for the northeast Illinois region. Currently, both projects are progressing on the same time schedule and are at similar stages of development. During the deliberation of the SAFETEA–LU bill, the Transportation and Infrastructure Committee agreed that both lines would move forward and be funded equitably. Without funding for the SouthEast Service, this agreement is in jeopardy.

We urge the chairman to correct this in conference. Thank you again for your support for Metra and our New Start programs.

Sincerely,

PHILIP A. PAGANO,
Executive Director.

Mr. OLVER. And I can assure the gentleman that I too will work to try to correct this inequity.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. PORTER).

Mr. PORTER. Mr. Chairman, I rise to engage the chairman in a colloquy.

Mr. Chairman, it is my understanding that included in the Transportation, Treasury, Housing and Urban Development Appropriations Act for fiscal year 2007 is $227 million for the Office of National Drug Control Policy's High Impact Drug Trafficking Areas Program, an increase of $2.27 million over last year's enacted level; is that correct?

Mr. KNOLLENBERG. The gentleman is correct.

Mr. PORTER. Mr. Chairman, the Nevada HIDTA office has done an outstanding job making my State's communities safer. Last year alone, they were successful in removing $12 million worth of narcotic from the streets of Nevada. While the HIDTA office is currently funded at a baseline of 1.4 million, rather than the 2.5 million or more that the other 26 HIDTA offices are funded at, in my district in southern Nevada, which sees thousands of new people a month moving into the area and tens of millions of visitors a year, coupled with the epidemic of methamphetamine and other drug abuses, would the chairman agree that the Nevada HIDTA office funding should be increased to a level more reflective of the challenges the district faces?

Mr. KNOLLENBERG. Mr. Chairman, I am happy to respond.

I share your concerns. And I thank my colleague for raising this very important issue today. He correctly points out that the bill includes $227 million for HIDTA, the High Intensity Drug Trafficking Areas program. The subcommittee has funded this important program again this year, even though the President requested that the program be transferred to the Department of Justice at a reduced level of funding.

I would be happy to work with the gentleman from Nevada as this bill moves forward. We can work together to make sure that the issue of methamphetamine and other drug trafficking as it relates to Nevada is forthrightly addressed in the final budget for this account.

Mr. PORTER. Mr. Chairman, I thank the chairman for his offer and look forward to working with him.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ) to engage in a colloquy.

Ms. VELÁZQUEZ. Mr. Chairman and ranking member, some public housing authorities nationwide are feeling the crunch from several years worth of budget constraints and the New York City Housing Authority, the largest PHA in the country, is not different. NYCHA is facing a $168 million shortfall in part because of lack of flexibility in how they can use the three main funding streams: section 8, public housing operating and capital funds. Limited fungibility of funding streams will go a long way in helping PHAs to creatively address funding constraints.

Mr. Chairman, I am hopeful that as the appropriations process moves forward we can continue to discuss a solution to alleviate these funding constraints by providing limited flexibility in the use of funding streams.

Mr. KNOLLENBERG. I recognize the difficult situation that some PHAs across the country are facing. Providing flexibility to housing agencies while at the same time ensuring that HUD can effectively manage its programs is a no-cost solution that, if administered properly, will ensure continued service to low-income families. However, at the same time, NYCHA and other PHAs need to make sure that they are taking full advantage of the current flexibility that exists between the public housing operating and capital funds. As this process continues, I look forward to working with the gentlewoman from New York.

Ms. VELÁZQUEZ. I appreciate the Chairman's willingness to work on this issue.

Mr. OLVER. I appreciate the gentlewoman for bringing forward this issue. Public housing authorities and the families they serve are struggling. And I thank the chairman for his willingness to continue to engage in these discussions as we have already had part of that discussion at an earlier stage in the process.

Mr. KNOLLENBERG. Mr. Chairman, it is my pleasure now to yield to the chairman of the Appropriations Committee, the gentleman from California (Mr. LEWIS), for whatever time he may wish to consume.

Mr. LEWIS of California. I appreciate very much the chairman. I must say I have come to the floor simply to express my deep appreciation for the work that the chairman is doing on this very important measure, a bill that drives much of the infrastructure of the country, as well as providing housing programs. He and Mr. OLVER have done a great job on this bill under circumstances where they are under great pressure. There is never quite enough money available to do all that we might like, so it takes very, very positive bipartisan effort to make sure that we provide balance as we restrain spending at the same time.

It is a very fine bill. And I might mention further that these gentlemen, together, are now today producing the eighth bill out of 11 FY 07 Appropriations bills off the floor. It is our intention to complete all those bills by the 4th of July break. You are giving us a fantastic demonstration today that anything is possible if people are willing to work together. So it is great to be with you. And thank you very much for your effort.

Mr. OLVER. Mr. Chairman, I yield 1 minute to the ranking member of the committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I just want to explain to the House that at this point it appears that there are more than 70 amendments pending, and that if each and every one of them only takes 10 minutes, 5 minutes a side, we will be here through all of today, through all of Wednesday, through all of Friday and perhaps into next week. So I would ask Members to keep that in mind and, if possible, to relinquish their ability to offer conflicting or duplicative amendments. I think points can be made without beating a dead horse five times over.

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

Mr. OLVER. Mr. Chairman, I yield 4 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), who is a member of the subcommittee.

Ms. KILPATRICK of Michigan. Mr. Chairman, I thank Chairman KNOLLENBERG for your leadership, sir, Michigander, appreciate working with you. And to our ranking member, Mr. OLVER, thank you very much for working together. As I always say, when the chairman and ranking members work together, it certainly makes our subcommittee work better.

I rise in support of our TTHUD bill, that is Transportation, Treasury, HUD, IRS and several other agencies put together in an acronym we call TTHUD, the TTHUD bill, some $67 billion bill for transit agencies, for our roads and bridges, for our housing needs, and Treasury and the like.

I think the bill is a good bill for what we had to work with, but it is far short of the needs that America has to fund its highway system, to fund its transit system, also for community development. I think housing in this bill takes a major hit, and it is so unfortunate. HOPE VI, which is a program for distressed housing in mainly urban America, has been zeroed out. I think that is unfortunate. And I know you can't fund a war at over $350 billion and think we can, at the same time, invest in America. That is why I think we must bring our troops home in the most practical time, and redeploy our troops around the theater area so that America is safe, and that we protect our interests at the same time.

But working with the dollars that we have, the HUD part of this bill has been devastated. The brownfield area has been zeroed out. Together, the EPA, which has money in it for remediation of land that will be developed, there is a small amount of money there. It is only there for remediation. The HOPE VI monies are for building, the actual building of houses, and together with the Community Development Block Grant money will help distressed areas and mainly urban areas of our country be able to put people in affordable housing, to have people live in safe housing, to offer their children hope for the future because a house is the most basic thing they need, one of the most basic things. This bill does not do a good job with that. And I know as we go on, you will hear more amendments trying to put back brownfield money, trying to put back HOPE VI money, and I support that.

I also want to bring up in this bill the section 8 housing choice voucher program. The way that the money is distributed in that program needs to be fixed. They take a snapshot of 3 months of the expenses, rather than a 12-month snapshot of the expenses in those section 8 housing use. Thereby, States like mine, we lose millions of dollars that could be helpful in families needing housing, adequate, safe clean housing. So I would hope that as we go on, we take a look at that. And as I asked the chairman last year to take a look at our State's, not just our State's, but our choice house voucher program, where we are being penalized and losing money that we ought to have because of a flawed formula. This does not look at the 12-month expenses, but only the 3-month expenses. And I might add not the 3 months expenses that have the higher home heating costs.

But overall, the TTHUD bill is one that can be supported. There will be amendments offered. Some of them are some that I will support. Housing development and providing assistance to urban America has to be strengthened.

I look forward to working with the chairman and our ranking member to make sure that we can build back some of these real programs that America needs. This administration has no urban program for development, for our schools, for our health centers; and I contend as we move forward in this process, we must pay attention to adequate, safe, clean housing. This bill falls far short.

Mr. KNOLLENBERG. Mr. Chairman, I continue to reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. ROTHMAN), also a member of the subcommittee.

Mr. ROTHMAN. Mr. Chairman, I thank my distinguished ranking member for the time. Mr. Chairman, I rise to commend our subcommittee Chair, Mr. KNOLLENBERG, and my ranking member, Mr. OLVER. We have a very interesting subcommittee. We cover a lot of ground, a lot of very interesting subject matters. And I must tell you that our chairman not only permits a wide range of debate and discussion and questioning, perhaps he even encourages it, because he certainly hasn't stopped me and he has been very, very generous in the way he has treated the members of the minority, and I thank him.

My ranking member shows great leadership on all of our issues, and his work is reflected in this bill which, while we all wish there were a lot more money because more money is deserving for this bill, I believe he has managed to reach the kind of compromises that were possible, given this shortage in money. Of course, I am disappointed in the amount of money for Amtrak. I am disappointed in some other matters; but as a former mayor, for example, I am delighted at the Community

Development Block Grant money because that money is so critical.

□ 1645

And, of course, I would be remiss if I did not thank the majority staff and the minority staff for tolerating my obsession with various items, including Teterboro Airport, and once again the subcommittee has chosen to protect this airport from abuse. It is not a partisan matter, as the majority and minority have acknowledged. It is a matter that appeals to all the people in my district, and, again, I am just so grateful.

I want to again thank the chairman and the ranking member for their kindness and cooperation throughout this year in the consideration of this bill.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR) for a colloquy.

Mr. CUELLAR. Mr. Chairman, I rise to engage in a colloquy with Chairman KNOLLENBERG on this particular issue.

First of all, I want to thank the chairman and I want to thank the ranking member, Mr. OLVER, for their hard work on this particular bill. I also appreciate this opportunity to speak to Chairman KNOLLENBERG on this issue that is very important to my congressional district.

My congressional district abuts the U.S.-Mexico border, which is very dependent on trade. Interstate Highway 35, the ''NAFTA Corridor,'' runs from Laredo in my district, throughout the San Antonio area, all the way up to San Marcos, all three areas which are large population centers.

Zapata County, which is in my district, is sandwiched between Webb County and Starr County, both Border Commercial Zones. Zapata is not currently designated a Border Commercial Zone, and consequently it loses out on economic development opportunities since Mexican trucks cannot conduct business in Zapata County. The Zapata business community has been asking for this designation. This area of the country is economically challenged, and the opportunity to engage in trade with Mexico will make a big difference in local business community development.

For example, the Zapata County master plan initiative includes an airport expansion project that includes a cargo facility and will offer shorter, direct flights into Zapata from Monterrey, Mexico. Freight companies in Mexico have expressed a desire to build warehouses and open a facility. In order to get a commercial zone, it takes an application process, but it is a long, burdensome process for a goal that is quite simple.

I am asking for your help, Mr. Chairman, to expedite Zapata County's application to be designated a Border Commercial Zone. Getting this locality on the fast track will be good for the local residents and businesses in this area for economic development.

Mr. Chairman, I appreciate your support to help Zapata County apply for and expedite the process to become a Border Commercial Zone, and I thank you for the opportunity.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. CUELLAR. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. I would just say that I agree to work with you on this. I appreciate your bringing it forward. And we will also work with the FMCSA on this issue. So thank you.

Mr. CUELLAR. I thank the chairman.

Mr. OLVER. Mr. Chairman, I would just like to say I would be happy, especially after that trip through his district, to work with the gentleman from Texas on the issue that he has raised.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in permitting me to speak on this bill, and I too understand that there are tremendous challenges that are faced by the subcommittee with its interesting and broad jurisdiction.

I rise to speak on one particular element that actually should help the subcommittee, and that is dealing with the Small Starts provision. The Small Starts provision was carefully crafted in last year's reauthorization after 3 years of work with people around the country to provide a simple, cost-effective way to reduce congestion, to promote economic development, and to streamline the bureaucracy, instead of the massive effort that is undertaken for the New Starts, the elaborate cost-effectiveness, the massive amount of money that is involved, and I know and appreciate that. I appreciate what the committee has done in approving the administration's recommendation for a project in my community. These are difficult, expensive, hard projects. That is why I have been working on the Small Starts. The Small Starts projects are ones that do not need massive Federal outlay. Small Starts do not mean that you have to rip up communities for weeks, months, in some cases years to construct them. The technology is available now to build a streetcar, a trolley, 3 weeks per block face. That's three weeks per block. They do not need to be massive projects with huge amounts of money.

The program of Small Starts was designed to be smaller amounts that will deal with relieving congestion and relieving the necessity of other more elaborate efforts for economic development.

We have 84 communities around the country with people that are looking at the streetcar technology and using the Small Starts program. If the committee will work with us and the Transportation and Infrastructure Committee with what we have authorized in SAFETEA–LU, we have the potential of providing the same sort of economic jolt and the relief of congestion without the costs, without the elaborate procedure, without the delay, and without the community disruption that are attendant with light rail and heavy rail.

I was disappointed that the subcommittee decided not to be funding it, but I am more concerned about the language in the subcommittee report that betrays a lack of understanding about why we developed this program to begin with. It is something that can help large cities like Chicago, where there is great interest in it; small cities like Kenosha, Wisconsin; and cities in between like Little Rock and Charlotte. And I would hope that as this legislation works its way through Congress that we will be able to work with the subcommittee and people in the other body to be able to harness the potential savings, economic development, congestion mitigation that can be a part of the Small Starts program.

I would think given the very difficult task that this subcommittee faces, with which I sympathize, that we ought to embrace this approach because in the long run it will give you more bang for the buck, more satisfied communities, more reduction in congestion, and more economic opportunities.

I appreciate the opportunity to talk about this for a moment and look forward to working with the subcommittee.

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

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

I would just like to point out to the gentleman from Oregon that in fact the guarantee, and it is a guarantee under the TEA–LU bill, is included in what is called the Capital Investments Fund. So there is money available there. But I need also to point out that we have been told at the subcommittee level that the Department of Transportation, the FTA, will not have rules and regulations until at least a year from now, maybe 15 months from now, which is the very end of the next fiscal year.

Mr. BLUMENAUER. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, we are having some interesting ongoing conversations with the Department of Transportation. I went across the street to visit with him at FTA immediately after the enactment of the legislation. There is no need for us to delay this process for months and years.

Mr. OLVER. Mr. Chairman, reclaiming my time, I agree with that point. I think that if people from the authorizing committee will make that point strongly to the Department of Transportation, that would be very helpful because I agree with virtually everything the gentleman has said. This is a process that ought to get moving, but the money is there. We can deal with this later on in this process. We are at

an early stage in the process. They need to get the rules and regulations out faster than 15 months from now.

Mr. VAN HOLLEN. Mr. Chairman, for the first time in 4 years, I will not offer an amendment to this bill to block the implementation of the May 2003 Office of Management and Budget Circular A–76 regulations for contracting out work that is performed by Federal employees around the country.

The difference this year, Mr. Chairman, is that Chairman KNOLLENBERG and Ranking Member OLVER agreed to my request to include satisfactory language in the bill that is before us. I want to thank them for addressing this issue this year.

Both Federal Government employees and private contractors had serious legitimate concerns and complaints about the A–76 competitive sourcing process. The amendment I offered in past years essentially required OMB to go back to the drawing board and develop a uniform competitive sourcing process that addresses everybody's concerns. Despite strong objections and veto threats from the White House, we had spirited debates in the three previous appropriations cycles on the Van Hollen amendment, and each year the House approved the amendment with bipartisan majorities.

We passed the Van Hollen amendment for the last 3 years because we recognized that the contracting out process was unfair. That was evidenced by the fact that we passed a number of bills to change the contracting out process on an ad hoc basis in numerous Federal agencies, including Defense, Homeland Security, Interior and Agriculture. But the result was a patchwork of inconsistent regulations. The Van Hollen amendment was intended to replace that patchwork of inconsistent regulations with a uniform set of rules fair to all. It did not get rid of the competitive sourcing rules. In essence, it required OMB to go back to the rules that were in place before May 2003 until it fashioned a new set of rules that make sense for everybody.

In fiscal year 2005 the Senate approved language similar to the Van Hollen amendment, but even though both Houses approved similar language it did not survive a closed-door TTHUD conference. Last year, in fiscal year 2006, the Senate approved language that was widely viewed as acceptable to the White House, however begrudgingly, and that language survived the conference and was signed into law. That language provided funding for A–76 competitions that allowed Federal workers to present their own most efficient organization, MEO, bid in a competitive sourcing competition, and required private contractor bids to provide for a minimum cost differential, MCD, savings of at least 10 percent or $10 million over the MEO bid. While these public-private competition requirements did not address all of the concerns of Federal employees pertaining to appeal rights, these requirements were considerable improvements in the competitive sourcing process.

But now, Mr. Chairman, we are in a brand new fiscal year cycle and once again we need to address critical matters related to the contracting out process. We should not have to do this every year in the appropriations process, Mr. Speaker, but we will repeat this debate year after year until Congress takes definitive action and authorizes competitive sourcing regulations that are fair to Federal employees and private contractors.

This year is somewhat different, however. This year, Chairman KNOLLENBERG and Ranking Member OLVER have had the foresight to include competitive souring language in the base fiscal year 2007 appropriations bill that mirrors the MEO/MCD language that was signed into law last year. Therefore, there is no need to offer the amendment I have offered in the past.

In conclusion, Mr. Chairman, the TTHUD appropriations bill on the floor today includes forward-looking language pertaining to A–76 competitive sourcing that precludes the need to offer my amendment again this year. I look forward to working with the leadership of the Appropriations Committee and with the authorizers on the House Committee on Government Reform in the future to devise a permanent fix to the A–76 process that is fair to Federal workers and private contractors and that provides American taxpayers with the efficient, cost-effective and quality services they demand and deserve.

Mr. HOLT. Mr. Chairman, I rise today to express my disappointment that the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies appropriations bill for fiscal year 2007 does not fully fund the Help America Vote Act, HAVA.

HAVA was passed in the wake of the 2000 election, and authorized almost $4 billion to improve the administration of elections in this country. The 2004 election was a strong indication that there is much work yet to be done in the area of election reform in this country. And yet here we are, fast approaching Federal elections which are to be the first ones that take place under virtually all of HAVA's requirements, and hundreds of millions of dollars in funds authorized under the bill remain unappropriated.

Although the appropriations bill before us includes almost $17 million in funding for the Election Assistance Commission, EAC, which is nearly $3 million more than was appropriated to the EAC for fiscal year 2006, it still provides no funding whatsoever to help States meet their voting system requirements—especially the disability and language access requirements—under title III of the act. HAVA authorized $3 billion in so-called ''requirements payments,'' and has to date appropriated only $2.328 billion. States across the Nation are struggling to meet HAVA's voting system requirements, and $672 million in authorized funds remain unappropriated. And not one dime of that amount has been requested in the President's fiscal year 2007 budget nor provided for in this appropriations measure.

HAVA also authorized $100 million to promote access to the polls for disabled voters, of which only $44 million has been appropriated to date, and $40 million for protection and advocacy systems, of which just under $17 million has been appropriated to date. I understand that the Labor and Health and Human Services appropriations bill to be reported out of committee today will include approximately $11 million in funding for the former accessibility grants, and approximately $5 million in additional funding for the latter protection and advocacy systems. However, these new appropriations still leave a total of approximately $63 million in authorized disability access payments unappropriated.

There are certainly many important demands upon us, but I ask you, Mr. Chairman, what is more important in a democracy than the fairness and integrity of the electoral system. I rise today to register my disappointment that the measure before us provides no funding to help States meet their title III requirements under HAVA, and to urge my colleagues to work with me when the Departments and Labor and Health and Humans Services appropriations bill comes to the floor next week to fully fund HAVA's disability access payments.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in support of H.R. 5576, the appropriations act for the Departments of Transportation, Treasury, and Housing and Urban Development.

I want to note two important Houston-area projects that received funding in this legislation: METRO Solutions and the Harrisburg grade separation.

The $2.5 million for METRO is a very small amount compared to our need for transit investment in Houston, particularly for light rail.

However, we are very grateful for this amount, because in previous years members of our Houston delegation blocked any funding in this bill for Houston light rail.

We will never know how many millions went to other projects around the country because our delegation was not united behind a plan.

Thankfully, this situation has now changed, and we have a commitment from our delegation to pursue $1 billion over 10 years for Houston light rail.

Unfortunately, it does not look like we will be able to meet that commitment. As a result, the process at the FTA is taking on much greater importance.

METRO must cut through the red-tape at FTA and get approval for their project and a full funding grant agreement if the Northside Line and East End Line are going to be a reality.

We are going to need all the funding we can get if we want to upgrade the BRT to light rail as quickly as possible to meet the expectations of the voters in the referendum.

The other important project for Houston is the Harrisburg Grade Separation. The bill contains $300,000 to get this project started in the design phase.

East End Houston has entirely too many inconvenient and unsafe grade crossings, and a grade separation at Harrisburg will provide easy access and prevent rail/auto/truck accidents for area residents.

We have just started construction on our Manchester grade separation, so it is fitting that we are starting at the beginning of the process for another very important intersection.

This project will fit in well with the effort to reorganize the freight rail system for Harris County and surrounding counties, because the most relief from freight rail traffic needs to be in the areas with the most impact.

Mr. Chairman, I want to thank the chairman and ranking member of the subcommittee and the full committee for their work on this bill and also thank our Houston area appropriator, JOHN CULBERSON for his help, particularly with the METRO funding.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

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

The Clerk will read.

The Clerk read as follows:

H.R. 5576

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 Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of the Secretary, $92,558,000, of which not to exceed $2,255,000 shall be available for the immediate Office of the Secretary; not to exceed $717,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $15,681,000 shall be available for the Office of the General Counsel; not to exceed $11,684,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $10,002,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,319,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $25,108,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $1,932,000 shall be available for the Office of Public Affairs; not to exceed $1,478,000 shall be available for the Office of the Executive Secretariat; not to exceed $707,000 shall be available for the Board of Contract Appeals; not to exceed $1,286,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $2,722,000 for the Office of Intelligence and Security; not to exceed $12,281,000 shall be available for the Office of the Chief Information Officer; and not to exceed $4,386,000 shall be available for the Office of Emergency Transportation: *Provided,* That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further,* That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further,* That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further,* That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further,* That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees.

AMENDMENT OFFERED BY MR. KNOLLENBERG

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

The Clerk read as follows:

Amendment offered by Mr. KNOLLENBERG:

Page 2, line 11, after the first dollar amount, insert the following: ''(reduced by $1,000)''.

Page 72, line 18, after the dollar amount, insert the following: ''(increased by $20,748,000)''.

The CHAIRMAN. Is there objection to reaching ahead in the amendment process to get to this point?

Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, following the full committee amendment process, CBO's scoring of our bill resulted in slightly more than $20.7 million in savings.

This amendment will place this funding in the IRS operations support account, which was reduced by $50 million below the President's request.

I understand that this has been cleared with the minority, and therefore I ask for the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LATOURETTE

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

The Clerk read as follows:

Amendment offered by Mr. LATOURETTE:

Page 2, line 11, after the first dollar amount, insert the following: ''(reduced by $23,814,000)''.

Page 2, line 11, after the second dollar amount, insert the following: ''(reduced by $79,000)''

Page 2, line 13, after the dollar amount, insert the following: ''(reduced by $26,000)''.

Page 2, line 14, after the dollar amount, insert the following: ''(reduced by $650,000)''.

Page 2, line 16, after the dollar amount, insert the following: ''(reduced by $150,000)''.

Page 2, line 18, after the dollar amount, insert the following: ''(reduced by $1,602,000)''.

Page 2, line 20, after the dollar amount, insert the following: ''(reduced by $2,319,000)''.

Page 2, line 22, after the dollar amount, insert the following: ''(reduced by $3,297,000)''.

Page 2, line 24, after the dollar amount, insert the following: ''(reduced by $1,932,000)''.

Page 2, line 25, after the dollar amount, insert the following: ''(reduced by $1,478,000)''.

Page 3, line 5, after the dollar amount, insert the following: ''(reduced by $12,281,000)''.

Page 4, line 6, after the dollar amount, insert the following: ''(reduced by $4,090,000)''.

Page 37, line 8, after the dollar amount, insert the following: ''(reduced by $34,650,000)''.

Page 38, line 8, after the dollar amount, insert the following: ''(increased by $129,000,000)''.

Page 39, line 6, after the dollar amount, insert the following: ''(increased by $85,000,000)''.

Page 58, line 11, after the dollar amount, insert the following: ''(reduced by $2,693,000)''.

Page 58, line 21, after the dollar amount, insert the following: ''(reduced by $2,693,000)''.

Page 192, line 14, after the dollar amount, insert the following: ''(reduced by $1,179,990)''.

Page 194, line 1, after ''2007'' insert the following: ''(reduced by $559,641,000)''.

Mr. LATOURETTE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATOURETTE. Mr. Chairman, I ask unanimous consent that the debate on my amendment and all amendments thereto be limited to 20 minutes, 10 minutes by the proponent and 10 minutes by the opponent, equally divided and controlled by each.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

□ 1700

Mr. LATOURETTE. Mr. Chairman, I rise today offering this amendment with my good friend, Mr. OBERSTAR from Minnesota, the ranking member of the full Transportation Committee. I will yield him half of my time when he arrives on the floor.

Unlike aviation, highways and transit, there is no dedicated funding for investing in our Nation's passenger rail service. This is a pretty simple amendment. All it does is restore $214 million to the Amtrak account, taking it to $1.114 billion, which is still about $300 million less than we had during the course of last year's discussion.

As the chairman of the Railroad Subcommittee, we have had exhaustive hearings, oversight hearings, dealing with the Amtrak situation, and we have done a number of things. The CEO has been fired by the board. We have looked at their food service. They have entered into a new food service contract. If you look at this bill, and I want to commend Mr. KNOLLENBERG, because last year he had an impossible task. The President sent up a budget of zero for Amtrak. We had an amendment process that we went through this time.

This time we are up to $900 million in the bill, which I give him great credit for. But if you look at that $900 million, there is only $500 million for capital expenditures, out of which has to come a debt service of $280 million, which only leaves $220 million for the capital needs of this country for Amtrak, for passenger rail.

There is nothing for operation, and I know that the response to that is going to be that there are some incentive grants in the bill. But that really does not get the thing done.

Mr. Chairman, we have tried to be judicious with this amendment and looked for pots of money located within the bill solely within the jurisdiction of the Transportation and Infrastructure Committee. I think we have achieved that.

I believe it is a good amendment and I urge adoption by my colleagues.

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

The CHAIRMAN. Does any Member seek time in opposition to the amendment?

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. KNOLLENBERG. Mr. Chairman, this amendment would increase funding for Amtrak by gutting and eliminating critical programs, including safety programs, resulting in reductions in force at several agencies.

This bill was put together by making some very difficult decisions to balance a wide variety of critical needs from some very diverse programs. The amendment would undermine the difficult work done by the subcommittee by haphazardly making unrealistic and undisciplined cuts throughout the bill.

It would cut the Office of the Secretary of Transportation by 25 percent. That is well below the fiscal year for 2006. This will result in reductions in force for OST and will impact mission critical operations, including security planning as well as coordination and response efforts.

These areas proved critical during last year's hurricanes, and we have now entered the hurricane season again. It would eliminate the critical rail safety research programs under the Federal Railroad Administration. This is a little confusing, because several years ago it is this research program that pinpointed the problem associated with Amtrak's brakes on the Acela and found the solution and allowed Acela to get up and running again.

The amendment would severely reduce funds for the Federal Maritime Commission and the Surface Transportation Board, resulting in RIFs for both of these agencies, and cutting the Federal Buildings Fund by $560 million will leave the fund without the resources it needs to build critical, secure crossings on our Southern border with Mexico.

Mr. Chairman, it would not strengthen the Federal buildings against threatening terrorism attacks. Let me repeat this. Vote for this amendment and you are voting against building border crossings on the U.S.-Mexico border and against funding to secure the Federal buildings against terrorism.

Let me go a little further and explain that these cuts would completely eliminate GSA's new construction of six border stations at the crossing at McAllen, Texas, at El Paso, Texas, Santa Teresa, New Mexico, Columbus, New Mexico, Calexico, California, and Nogales, Arizona.

In addition, the amendment would eliminate the Food and Drug Administration Montgomery County, Maryland Project, as well as remove the delivery facility in Anacostia for mail sorting for the Federal Government, something that is sadly needed, and with the threat of anthrax and other deadly substances in government mail.

Repairs and alterations to Federal buildings will be stopped or slowed, repairs and alterations that are needed to secure government workers and the general public from possible terrorist attacks.

Mr. Chairman, cutting border security and funds to protect Federal workers against terrorism is irresponsible. I ask my colleagues to oppose this amendment.

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

Mr. LATOURETTE. Mr. Chairman, can I ask how much time I used, please?

The CHAIRMAN. The gentleman has 8½ minutes remaining.

Mr. LATOURETTE. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. SCHWARZ).

Mr. SCHWARZ of Michigan. Mr. Chairman, while I credit my colleague from Michigan for doing a great deal of work on this bill, and I know it is a tremendously difficult bill, rail passenger service in the United States is the worst in all of the industrialized world.

It does not have to be that way. Germany, France, the United Kingdom, Italy, the Scandinavian countries, Spain and Portugal have better rail service, more rapid rail service, more frequent rail service, more efficient rail service than the United States. It does not have to be this way.

The degradation of the Amtrak system goes on apace, whether it is the right-of-way or equipment. Equipment needs to be replaced. Right-of-way needs to be maintained. The Canton area, the electric, the Canton area in the Northeast Corridor needs to be maintained as well. Witness the blackout just 2 weeks ago.

We need to have a modern, efficient, dependable rail passenger service in the United States. The only way we can do it is to fund it. It is the most efficient way to carry people. And I must say that no system in any industrialized country in the world is profitable. They are all subsidized. It is part of the cost of doing business. It is part of the cost of running an efficient government. It is part of the cost of keeping our economy going.

Please support the LaTourette amendment.

Mr. KNOLLENBERG. Mr. Chairman, could I inquire about how much time is left on our side?

The CHAIRMAN. The gentleman has 7 minutes remaining.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2½ minutes to a member of the subcommittee, TODD TIAHRT from Kansas.

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from Michigan for yielding me time.

Mr. Chairman, the chairman of the Appropriations Subcommittee on Transportation, Treasury, Housing and Urban Development has done a fine job. We are a nation of priorities. Each year we must decide where the resources that have been given to us by the taxpayers will be spent.

This bill is a good example. The chairman from Michigan (Mr. KNOLLENBERG) made good decisions on the allocations within this bill. The subcommittee worked its will, making sure that the allocations were filled to the best of our ability.

Then the bill went to the full committee appropriations process, and the amendments were conducted. And again the will of the committee was worked. Not all of the requests were funded. It is the same with Amtrak. Their request was not funded, and it is because Amtrak is undergoing some financial stress that they have asked for more funding.

But this is not new to our economy. Other portions of our economy have also been under financial stress. For example, the airlines have been faced with similar shortfalls in revenue. And yet when they were faced with these shortfalls, they undertook a search of every cost. They went to their workers. They went to their pilots. They went to their flight attendants. They went to the mechanics. And they asked them, could you help out under this current period of financial stress? And the unions and the workers all weighed in to help with the cost structure.

The same thing happened in our auto manufacturing industry, where the United Auto Workers weighed in and helped bear some of the reductions in costs so that they could keep their companies afloat.

They came to the table, they did the right thing for their jobs, for their families, and they made themselves more competitive in times of financial stress. Now we come to Amtrak. Amtrak has looked at some of their costs, but their workers have never weighed in.

Mr. Chairman, I think when you look at the costs that Amtrak is asking for, we need to look across the spectrum, at the union agreements, at the wages that are being paid, at the benefits, as well as the cost of the infrastructure, the cost to operate, the energy costs, so that each and every facet of Amtrak weighs into these costs. We have done that. The reforms are in place. We hope to see the reforms completed,

Mr. Chairman, I think it is time that we have these reforms that we have put in the bill become enacted, so that we can take each facet of the cost in Amtrak into the formula to come up with a plan to make sure that Amtrak is solvent in the future.

I thank the gentleman from Michigan for spending the time on these allocations within this bill. I think he has done a fine job. I would oppose the gentleman from Ohio's amendment, let the reforms take place and make sure that Amtrak is solvent in the future.

Mr. LATOURETTE. Mr. Chairman, it is my understanding that we still have 7 minutes remaining on our side of the amendment.

The CHAIRMAN. The gentleman has 7 minutes remaining.

Mr. LATOURETTE. Mr. Chairman, I yield 5 minutes to Mr. OBERSTAR from Minnesota, the co-author of the amendment, and ask unanimous consent that

he be permitted to yield time from that 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I think that this amendment shows quite clearly how difficult the job was for the chairman in the first place, and that it is very difficult to find offsets for the kind of money that was necessary to put together this amendment.

But all of the offsets come out of the jurisdiction of the Transportation and Infrastructure Committee, the full Committee on Transportation and Infrastructure. And I think that it makes it clear that if the offsets are used in this way to fund Amtrak, which is needed, that then we will go to the later stages in the process and try to make corrections in the later stages of the process.

Mr. Chairman, it will be no more difficult to re-fund the items that have been taken out of their own jurisdiction, out of the Transportation and Infrastructure Committee's jurisdiction, it will be no more difficult to fund them later than it is to fund Amtrak now.

Clearly with this amendment, we will still be $180 million below the enacted number for 2006, and the Amtrak board has asked this year for $1.598 billion. That is the most recently appointed board of members from the President.

So we are still very far short of what they believe is necessary to run the national rail passenger system. So I am, with some trepidation, supporting the amendment that has been put forward. I certainly intend to vote for the amendment.

Mr. KNOLLENBERG. Mr. Chairman, again I would like to inquire about the time remaining for our side.

The CHAIRMAN. The gentleman from Michigan has 4½ minutes remaining. The gentleman from Ohio has 2 minutes remaining. The gentleman from Minnesota has 3 minutes remaining.

Mr. KNOLLENBERG. Mr. Chairman, by the way, let me thank Mr. LATOURETTE for suggesting the 20-minute situation divided by two. I appreciate that very much.

Mr. Chairman, I yield 2½ minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, my colleagues, giving Amtrak more money would be like giving at this point an alcoholic another drink and asking him to sober up.

I sort of feel like I am repeating, Mr. Chairman, the Ground Hog Day. We have been through this debate over and over, and we keep putting more and more taxpayer dollars into Amtrak. And I have no problem with subsidizing mass transit or any type of long distance service or high speed service. We will need to subsidize it. But, folks, Amtrak has been and remains out of control. I served on the Rail Subcommittee for most of my time in Congress. Let us just review, if we give them a little bit more money, where that is going to go.

Right now we subsidize every ticket for $47. That is absolutely outrageous, ladies and gentlemen. In fact, some tickets are subsidized—I have the report right here, the latest information—$627. Could you imagine that type of subsidy? They will tell you, oh, we give it to airlines. That is not true. No one is subsidized like Amtrak is.

Food service. For every dollar that we take in in food service on Amtrak, it costs the taxpayers $2. That is it, just give them a little bit more money and things work out. Legal services. They spend more money on legal services than they do on equipment.

The debt has risen to some $6 or $7 billion. The maintenance backlog is between $5 and $6 billion. So even if you add additional money, whoever is in this well 1 year from now will be back here trying to feed the Amtrak monster.

We must have the reforms. Some of them are in the bill. The committee has done a great job in trying to get their attention, to try to get their finances in order. Their finances and accounting is worse than Enron's.

□ 1715

It is time that we demand accountability, that we demand a better operating mass transit and public long distance service; and I have no problem with underwriting that. But we should look at what the private sector can do. They have 26 million, I believe, passengers.

In England, they have a new route, north-south. They have 34 million. They actually have made a profit and turned a dividend and returned it back to the taxpayers.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I find no small irony to what we just heard. This bill contains billions of dollars of subsides to the airline industry on top of hundreds of billions of dollars that was spent in the past for an industry that has produced a net profit of zero in its 75-year history.

Why does Amtrak have problems? We have consistently underinvested in their capital needs. Any objective analysis suggests that they need to be adequately funded for capital, but this Congress consistently underfunds it. We cut it by another $200 million, and we will not even pass the authorizing legislation.

We are not going to kill Amtrak, because the public won't allow Amtrak to be killed; but it is time for us to stop this charade, give a modest amount of money to meet its capital needs, be able to reverse the outrageous act where they fired David Gunn, an operational genius who was dealing with the management problems of Amtrak, and they fired him. It is time to stop the criminal mismanagement of Amtrak by the political process.

Mr. KNOLLENBERG. Mr. Chairman, I would yield 1 minute to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, regardless of your opinion about Amtrak, if you are concerned about border security and want to do a better job of protecting our border, you need to vote against this amendment. Because according to the CBO's scoring, this $560 million cut from the Federal Building Fund would come primarily out of the repairs, alterations, and construction account.

The President has asked for six new border stations on the border between Texas, California, New Mexico, and Arizona. These cuts would leave the building fund without the money they need to build secure, critical border crossings with Mexico.

This is not just about Amtrak. This is taking critically needed money to build these border crossings and maintain not just Federal structures across the country but, more importantly, the secure, critical border crossings with Mexico.

I urge Members to vote against this amendment. Whether you oppose Amtrak, you should vote against the amendment, as I would, because I am concerned about Amtrak's accounting, but because I am concerned about border security as the highest priority of this Congress, you need to vote ''no'' on this amendment so we can build these secure, critical border crossings.

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from Montana (Mr. REHBERG).

PARLIAMENTARY INQUIRY

Mr. REHBERG. Mr. Chairman, before I begin, may I have a parliamentary inquiry to have unanimous consent to interject a letter into the RECORD? Do I do that during this debate?

The CHAIRMAN. That will have to be done in the full House as opposed to in the Committee of the Whole.

Mr. REHBERG. Mr. Chairman, I rise in support of Mr. LATOURETTE's amendment. One of the things you heard talked about was the fact that Amtrak was making changes. That is absolutely incorrect.

I have an article I am going to interject into the RECORD: ''Passenger Railroad Improves Service on Long-Haul Trains to Lure Travelers.'' The Empire Builder, which is in Montana, is the rolling laboratory for some of these changes.

I represent a district that spans the distance of Washington, D.C. to Chicago. Think about it: Washington, D.C. to Chicago. In many areas, this is the only form of transportation we have.

Many of you have airlines. We do not in northern Montana. Many of you have bus service. We do not in northern Montana. We use this service for essential service to get our people to hospitals, to doctors, to school, to visit relatives.

This is not just something we are wasting money on. This is an essential service, an essential product for the people of America. If you are going to build a more secure future for the people of Montana, then you have to be realistic.

You don't gut and undermine the effort that they are attempting to make at this time to improve the service of the Empire Builder in Amtrak. I ask you, please support Mr. LATOURETTE.

[From Business Focus, Mar. 17, 2006]

PASSENGER RAILROAD IMPROVES SERVICE ON LONG-HAUL TRAINS TO LURE TRAVELERS

(By Daniel Machalaba)

SHELBY, MONTANA.—Karyn Hamilton, like many Amtrak riders, had a dim view of the nation's passenger railroad as low-class, uncomfortable and not much better than a bus. But the marketing director of a financial-management firm in Portland, Ore., changed her mind during a trip last August on the Empire Builder, an Amtrak long-distance train undergoing a dramatic makeover that includes new carpeting and colors, pleasant staff, and upgraded food service.

After years of financial and political crisis, Amtrak is making a calculated gamble: To boost revenue on its longer-haul trains, the railroad is altering its longstanding one-size-fits-all approach to passengers.

The changes began with a major makeover of the Empire Builder last summer. Now, Amtrak plans to extend the changes to some other long-haul trains, while also attacking bloated food-service expenses. Amtrak's board also is considering cuts to its headquarters overhead by streamlining repair shops, maintenance operations, reservation call centers and train stations.

The shakeup is an acknowledgment by Amtrak officials that they are running out of chances to stave off pressure from the Bush administration to break up or even liquidate the federally subsidized—and unprofitable—railroad. ''We're living on borrowed time,'' says David Laney, Amtrak's chairman. ''We have to demonstrate what we can do on our own before it is taken out of our hands.''

Last year the Bush administration proposed eliminating subsidies to Amtrak, which has been kept afloat with $30 billion in federal aid since 1971, according to the Department of Transportation. While Congress approved $1.3 billion in funding for the current fiscal year, the Bush administration latest budget request includes $900 million—a 31 percent cut— for fiscal 2007. And the DOT would hold back nearly half of the money until Amtrak demonstrated continued progress on reform. Yesterday, Amtrak said it would ask Congress for $1.598 billion for fiscal 2007, almost all the increase for capital spending.

As part of the do-or-die overhaul, Mr. Laney fired Amtrak President David Gunn last November. Mr. Gunn had been widely praised for stabilizing Amtrak's finances,

Jump starting repairs to the Northeast Corridor and restoring credibility with Congress. But Mr. Laney, a Dallas lawyer and Republican loyalist appointed to the Amtrak board in 2002, concluded that Mr. Gunn was standing in the way of more-drastic reforms. Mr. Gunn says he was fired because he opposed the Bush Administration's Amtrak strategy.

Mr. Laney ways the next crucial step for Amtrak is to fix some notorious customer-service problems, ranging from dirty cars to unhelpful and rude onboard employees. About 30 percent of all Amtrak trains are late. Rep. John Mica, a Republican from Florida and longtime Amtrak critic, complains Amtrak can ''rival some of the Third World and former Soviet Union rail experiences.'' Mr. Laney acknowledges that passenger service by Amtrak is ''in some cases superb and in some cases miserable.''

The restructuring likely puts Amtrak on a collision course with its 17,000 unionized workers, two-thirds of whom haven't had a new contract for about five years. Amtrak officials estimate union restrictions cost the railroad about $100 million a year. Edward Wytkind, president of the AFL–CIO union's Transportation Trades Department, said in a statement that the Bush administration's reform effort is an attempt to ''scapegoat workers for the failures of the federal government and the current Amtrak board.''

Some of Amtrak's worst problems are beyond its control. Formed to relieve freight railroads of money-losing passenger trains, Amtrak shares nearly 22,000 miles of track with the freight trains, and congestion is worsening. Still, Amtrak believes better service will lure riders and shrink losses on long-distance lines. On long-distance routes that are primarily used by passengers for basic transportation, starting with the Texas Eagle and the City of New Orleans, the railroad is rolling out a new type of dining service that makes greater use of precooked meals and introduces disposable plastic plates. Those changes are designed to cut the number of dining-car employees to three per train from five or six.

Meanwhile, Amtrak is replacing mandatory meal-serving periods with more flexible hours. Over the next few years, it plans to rebuild dining cars to replace traditional table seating and allow passengers to sit at the bar or watch passing scenery from crescent-shaped booths that face the windows. Meal service will then be available as much as 18 hours a day, up from about eight hours now, allowing Amtrak to serve more people and boost revenue. Amtrak hopes to cut $32 million from its annual food-service loss of $123 million.

The Empire Builder is the rolling laboratory for some of the changes. Its on-time record is about 68 percent, and it posted an average loss or $78.57 per passenger in the fiscal year ended Sept. 30.

While the Empire Building is so far sticking with the traditional dining-car format, staffing level and made-to-order food, its added amenities and upgraded service are noticeable. Amtrak put a small fleet of rebuilt passenger cars with hip blue-and-white interiors on the line—a big improvement over the drab orange and brown that dominated older cars. Employees now must introduce themselves to passengers. Conductors must stay up all night in the dining car in case they are needed.

So far, the Empire Builder makeover appears to be enticing more passengers, particularly during the off-season when ridership typically declines. But David Hughes, Amtrak's acting president, says it is impossible to ever make long-distance trains like the Empire Builder profitable. Those trains are expected to generate $382 million in fiscal 2006, or about one-fourth of overall Amtrak revenue, but post losses of more than $493 million, or about $125 for every passenger.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE), the chairman of the Foreign Operations Subcommittee.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to the amendment, not to speak against Amtrak, but really where these funds would come from.

As the previous speaker under Mr. KNOLLENBERG's time, Mr. CULBERSON said it comes out of our border security infrastructure. Much of that is right in the heart of Arizona. The Nogales/Mariposa Port of Entry and the San Luis Port of Entry are located on the Arizona-Mexico border, not in my district, but in the area and will enhance security while promoting economic development and improving the quality of life in the border region.

The first project is the reconfiguration of the Nogales/Mariposa Port of Entry. It is the principal commercial crossing on the southern border during much of the year. It processes half of all the winter fruits and vegetables entering the United States. It was built in the 1970s, and it was never built to handle the volume of traffic it now receives.

During the peak season, it is absolutely overwhelmed. Trucks line up for hours and miles and miles and miles into Mexico waiting to cross. In addition the post-9/11 requirements of the Bioterrorism Act and other security measures have added to the congestion of the port. This is a project that would be cut under this amendment.

The second project is the construction of the new port of entry at San Luis, and that is the highest priority on the southern border and President's requested $42 million.

I urge that we defeat this amendment because of where the funds are being taken from.

Mr. Chairman, I rise in opposition to this amendment because the funding it would remove from the bill would be terribly detrimental to our border security infrastructure, at precisely the time when we are finally turning our attention towards fixing our border and stopping illegal immigration.

The Nogales/Mariposa Port of Entry and San Luis Port of Entry are located on the Arizona-Mexico border and will enhance security while promoting economic development and improving the quality of life in the border region and across the country.

The first project is the reconfiguration of the Nogales/Mariposa Port of Entry to expand the port and enhance border security. Mariposa is one of the principal commercial crossings on the southern border; it processes half of the winter fruits and vegetables entering the United States. Built in the 1970's, Mariposa was never intended to handle the volume of traffic it now receives. During the peak season, it is overwhelmed, as trucks line up for miles and wait many hours to cross. In addition, the new post 9/11 requirements under the Bioterrorism Act and other security measures have added to the congestion at the port. U.S. Customs and Border Protection therefore placed this project high on its list of priorities and the President requested $9 million for design funds in his budget. That funding is in this bill and would be cut by this amendment.

The second project is the construction of a new Port of Entry at San Luis. U.S. Customs

and Border Protection has also listed this project as its highest priority on the southern border and the President requested $42 million for design funds in the Fiscal Year 2007 budget.

Clearly, these vital projects must not be cut precisely when we are trying to fix our broken borders. In light of our heightened security needs, particularly at our southern border, I urge a "no" vote on this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself 30 seconds.

First of all, the gentleman from Texas and the gentleman from Arizona are dead wrong. Our offset does not touch the border stations. In fact, the Nogales is registered in the bill at $9.8 million; San Luis has $42 million. We do not touch any of the border stations.

In fact, the offsets are minor repair and alteration, $375 million. Minor construction, $10 million. Building operations, that is cleaning, $119 million; and the DC Old Executive Office Building at $56 million to cover the offsets for Amtrak. None of this is border stations, none of it.

Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Once again, we are up here fighting for the life of Amtrak, 35 years of service to the public. It just amazes me that constantly people, the Chair of aviation, billions of dollars that we have put in aviation, billions of dollars, and yet it doesn't pay for itself, and we do not want zero funding for Amtrak.

This administration constantly, constantly cut down the funds for Amtrak. This administration has come up with a lot of wacky ideas, but let me tell you something. When gasoline will go up to $4 a gallon, you are going to see a lot of people lining up to take Amtrak.

With the passage of the latest emergency funding, President Bush will have spent over $439 billion on the war in Iraq, but we don't want to spend money for Amtrak. During Hurricane Katrina, the way the victims and first responders were able to leave the gulf region and the New Orleans area was through Amtrak, Amtrak.

Mr. Chairman, this year, Amtrak is celebrating 35 years of public service to this nation through it's commitment to passenger rail.

I travel all over the country and the people I talk to love Amtrak. It is a great way to commute to work, it takes cars off our already congested highways, and in many areas of the country is the only mode of transportation available. In fact, ridership has increased in 8 of the last 9 years reaching a record level of over 25 million passengers last year. It is also important to note that Amtrak's long distance trains are the only inner city passenger trains in half the states in America.

Amtrak was also a First Responder during hurricane Katrina, and helped evacuate thousands of Gulf region residents while President Bush and his Administration were nowhere to be found. Now they are becoming a key part in each states future evacuation plans.

Now what I can't understand is why the Bush Administration is trying to destroy passenger rail in this country. Every Industrialized country in the world is investing heavily in rail infrastructure because they realize that this is the future of transportation. But sadly, as there systems get bigger and better, our system gets less and less money.

President Bush has a lot of wacky ideas for dealing with the high gas prices he created, but I can assure him that as prices climb to $4 per gallon, you are going to see American's lining up to use a passenger rail system that has been neglected by this very Administration. But what more do you expect when you put J.R. Ewing in the White House.

Once again we see the Bush Administration paying for its failed policies by cutting funds to vital public services and jeopardizing more American jobs. This Administration sees nothing wrong with taking money from the hard working Amtrak employees who work day and night to provide top quality service to their passengers. These folks are trying to make a living for their families, and they don't deserve this shabby treatment from the President.

With the passage of the latest emergency funding for the war, President Bush will have spent over $439 Billion on the war in Iraq, but

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million, major infrastructure projects have been completed. All with a workforce that has been reduced by over 4,000 employees.

We still have a lot of work ahead of us when it comes to Amtrak. But we're starting $900 million dollars closer to our goal, and I know with the help of the American public, we can fully fund Amtrak at $1.6 Billion and keep Amtrak running long into the future.

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. SWEENEY), who offered a similar amendment during the full committee markup to try to save Amtrak.

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

Mr. SWEENEY. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, in the brief time I have, I want to just say that I want to echo the words of my friend, Mr. REHBERG, that Amtrak is an essential service in my part of the country. But we have had this debate every year, and we go through this process in each of those years.

Last year, in particular, we had a very strong and vigorous debate in which we were threatened with a veto at one point and demanded reforms. This $900 million allocation is a shutdown number for Amtrak, and it would come at the worst possible time to shut down Amtrak.

This is because it is part of those reforms. Amtrak was required to institute new acting procedures. It was required to institute new service contracts and plans. It was required to put in place a new business plan. The Department of Transportation Inspector General just issued a report from September 2005 to March 2006.

Amtrak has saved in excess of $19 million with the institution of these new reform plans that we demanded of them. To now shut them down would go back on our word. Let me also say that Amtrak promotes fuel conservation. At this time, when we are all sensitive about that, it is something that we ought to consider.

A recent study by the Oak Ridge National Laboratory shows Amtrak consumes 17 percent less energy per passenger than automobiles and 18 percent less than planes. Amtrak is an essential service. Support this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

The Inspector General at the DOT has said to maintain the currently configured system in a steady state of repair, Amtrak would need $1.4 billion. They can't function at a lesser number. But despite chronic underfunding, Amtrak has made significant performance improvements, reducing costs, increasing revenues, implementing reasonable operational reforms, building key infrastructure over its 730 route miles. Even with a starvation budget, this service has performed remarkably.

Support the amendment.

Mr. CASTLE. Mr. Chairman, I rise in support of the amendment to restore funding for Amtrak. I appreciate Mr. LATOURETTE's work on this effort and I thank the chairman for his willingness to work with Members on this extremely important issue.

While I strongly agree that reforming our rail system is essential, and I am supportive of efforts to ensure the Inspector General plays a key role in the rail system's oversight, the level of funding included in this bill is simply unrealistic.

Unlike aviation and highways, there is no dedicated fund for investing in passenger rail development. Although these other modes rely on user fees for a great deal of their funding, they still receive a large amount from the general fund. In addition, these other modes all operate on predominantly federally owned or federally assisted infrastructure, and rely largely on Government-supported security, research, and traffic controllers.

Rather than constantly looking for ways to shortchange passenger rail, we should be working on a comprehensive strategy to make Amtrak the best high-speed rail system in the world.

When you consider the fact that 20 percent of all Americans live in the North-East and approximately 1,700 commuter trains travel the Northeast Corridor everyday, we need to seriously consider the amount of congestion and overcrowding that would occur if these trains stopped running.

Passenger rail can be extremely effective in relieving congestion, cutting pollution, and lowering our demand for oil while creating jobs and increasing security. We have barely scratched the surface of passenger rail's potential, and a commitment from Congress to improving the viability of this system could lead to greatly expanded possibilities.

In addition, it is my firm belief that improving passenger rail service in this country depends on strong and experienced leadership at Amtrak. Unfortunately, over the past year, the Amtrak Board has made several important decisions, despite the fact that close to half of its seats remain empty.

Frankly, I believe the failure to appoint a fully functioning Amtrak Board is disgraceful,

and it stands as an enormous disadvantage for this rail system. Members of Congress can stress the need for accountability and reform until we turn blue in the face—but in the end, what Amtrak really needs is leaders with vision, who attend and participate in board meetings and who are genuinely committed to improving passenger rail.

Everything starts with the leadership provided by this board, and as we work to ensure adequate funding for passenger rail, it is crucial that Congress continue to advocate for a fully functioning Amtrak Board of Directors.

The facts are clear; Amtrak needs Federal support to survive, just like highways, ports, and airlines. America is a world leader in all other modes of transportation. When it comes to rail, we are quickly falling behind.

Mr. Chairman, many Americans, including thousands in my state, depend on Amtrak for both business and pleasure. Instead of short-changing the organization, we should work together to improve passenger rail.

Mr. HOLT. Mr. Chairman, I rise today to support the amendment offered by Representative LATOURETTE to fully fund Amtrak.

In fiscal year 2006, the Bush administration attempted to only provide $360 million to maintain commuter and freight service operated by Amtrak. With a great deal of support from many parts of America, Amtrak funding was restored to $1.3 billion.

Once again we are considering a bill that underfunds Amtrak needs to maintain its current operations. Amtrak is funded at a mere 900 million to continue its operations and make capital improvements. This is 33 percent less than current funding levels for Amtrak. This is $698 million less than Amtrak requested to continue operations and invest in capital. The Oberstar/LaTourette amendment increases funding for Amtrak to $1.114 billion.

The Northeast Corridor relies heavily on Amtrak's infrastructure and skilled workers. New Jersey Transit estimates that over 77 percent of its daily passengers would be affected if—New Jersey Transit could no longer operate its trains over tracks owned by Amtrak.

Many of my colleagues contend that the Northeast Corridor is the only area that depends on Amtrak. This is simply not true. According to a report recently published by the Government Accountability Office, across the country 18 different commuter agencies depend on the infrastructure and services that Amtrak provides, including commuter rail agencies in Dallas and Seattle. There are currently seven new agencies being planned across the country as well. If we do not continue to fund Amtrak at the levels they need to function, a shutdown is imminent. This would be detrimental to commuter rail agencies that depend on Amtrak-owned tracks and infrastructure and skilled Amtrak employees.

The GAO confirms the effect a shutdown of Amtrak would cause: "Given the dependence of more commuter rail agencies on Amtrak for services and infrastructure, an abrupt Amtrak cessation would likely result in major disruption or shutdowns of commuter rail service throughout the country."

We have a responsibility to promote mass transit and provide adequate funding for States and local transit authorities to move passengers effectively. Rail transportation is essential for easing traffic congestion in our most densely populated areas, reducing wear and tear on roads, protecting our environment, and preserving open space across the country.

On May 1, Amtrak celebrated 35 years of service to our Nation. We celebrated Amtrak for its ability to integrate small communities with large cities by providing economic expansion, increased mobility, and environmentally sound transit.

That is why I support the amendment offered by Representative LATOURETTE that would increase Amtrak funding. Now is not the time for us to cut funding for mass transportation. I urge my colleagues to support Amtrak and vote for the Oberstar/LaTourette amendment.

Mr. FITZPATRICK of Pennsylvania. Mr. Chairman, as cochair of the Passenger Rail Caucus, I urge you to support th LaTourette-Oberstar amendment to the FY07 Transportation, Treasury and HUD Appropriations bill. The amendment will increase funding for Amtrak to a total of $1.114 billion, an increase of $214 million.

The FY 2007 TTHUD appropriations bill provides only $900 million for Amtrak, $412 million less than the FY 2006 enacted level and $698 million less than Amtrak requested in order to continue operation and invest in capital. I am concerned that the current funding level in the bill would leave the rail system incapable of providing sufficient service to Amtrak's 25 million customers—many of whom are my constituents of the 8th Congressional District of Pennsylvania on the Northeast Corridor.

The Department of Transportation's Inspector General has stated that the status quo funding option for Amtrak is unsustainable. The Inspector General also stated that postponement of maintenance—especially on heavily traveled Northeast Corridor increases the risk of accident.

Today, as Americans are facing skyrocketing energy prices and increasingly overcrowded roads, it is crucial that we invest in our national passenger rail system.

I urge you to join us in preserving transportation options for our constituents and support the LaTourette-Oberstar amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KNOLLENBERG. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT OFFERED BY MR. KUCINICH

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

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 2, line 11, after the dollar amount, insert "(reduced by $70,000)".

Page 37, line 4, after the dollar amount insert "(increased by $70,000)".

Mr. KUCINICH. Mr. Chairman, I rise today out of deep concern for the safety of children who ride school buses over railroad tracks in Ohio and across the country. My amendment will ensure that there is a person working full time in the Federal Railroad Administration who can help us resolve the inadequate reporting.

That reporting is necessary to ensure that railroad crossings frequently used by school buses are in compliance with Federal safety requirements. Title 23, section 646.214 of the Code of Federal regulations requires that crossings be equipped with "automatic gates with flashing light signals" when a "substantial number of school buses cross."

Setting aside the issue that any school bus with children in it is substantial, when it comes to children's safety, it is impossible for school districts, public utility commissions, and the Department of Transportation to know whether any school buses are crossing gated or ungated tracks if this information is not reported.

Mr. KNOLLENBERG. Would the gentleman yield?

Mr. KUCINICH. I certainly would.

Mr. KNOLLENBERG. I would be happy to accept the amendment. Your amendment, I think, is a good one.

Mr. KUCINICH. I want to thank the chairman for his assistance, and I know that the parents of school children all over this country will be grateful to you for your concern. Thank you very much.

The CHAIRMAN. The question is the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

□ 1730

AMENDMENT OFFERED BY MS. BEAN

Ms. BEAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. BEAN:

Page 2, line 11, after the first dollar amount, insert the following "(reduced by $2,700,000)".

Page 2, line 22, after the dollar amount, insert the following: "(reduced by $2,700,000)".

Page 4, line 6, after the dollar amount, insert the following: "(reduced by $4,000,000)".

Page 32, line 22, after the dollar amount, insert the following: "(increased by $6,700,000)".

Page 32, line 23, after the dollar amount insert "(increased by $6,700,000)".

Ms. BEAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. BEAN. Mr. Chairman, I rise today to offer an amendment that would increase funding for the National Highway Traffic Safety Administration's Operations and Research account by $6.7 million. The amendment offsets this increase by decreasing $2.7 million in funding from the Office of the Assistant Secretary for Administration and $4 million from transportation planning and research account.

The intent of my amendment is to direct the Office of Fuel Economy to use these funds to assess how to best incentivize the auto industry to increase corporate average fuel economy,

CAFE, standards by the year 2015. It is my hope that this will accelerate adoption of increased fuel efficiency standards by having the office considering options like tax credits to retooling their manufacturing processes for production of more fuel efficient vehicles. This would provide manufacturers with an economically viable way to increase fuel economy for passenger cars and light trucks.

Particularly in suburban districts like mine, families are plagued by heavy traffic and congestion and are burdened by the price of gasoline. The high gas prices we are facing today can only be addressed by a serious, long-term effort to reduce our dependence on foreign oil.

By voting for my amendment, we can give the Office of Fuel Economy the resources necessary to start providing solutions on the demand side of the energy equation.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

I appreciate the intent of the gentlewoman's amendment. We all want better fuel economy. However, I must oppose the gentlewoman's amendment for a number of reasons.

There are times when throwing additional money at a problem is not going to solve it, and this is one of those times. All that is needed here is time.

Giving the National Highway Traffic Safety Administration more money will not speed up the process whereby fuel economy standards would be raised. Even if Congress passed a bill tomorrow ordering NHTSA to raise fuel economy standards, it would take a minimum of 9 months for a rule to be proposed and finalized. This is because NHTSA would need the detailed product plans from every major auto manufacturer on every model they make before they could draft such a rule, and assembling these documents takes time.

Moreover, under law, there would have to be a reasonable comment period of 90 days so the public could weigh in on any proposed rule.

Finally, any proposed rule would have to be cleared by the Office of the Secretary of Transportation and the Office of Management and Budget, and that is just the beginning.

Auto makers also need time, which they are provided under the law, to retool their product lines to comply with the new regulations. For instance, the auto makers are already developing their product lines for the 2010 model year.

As I said at the beginning, this just takes time, roughly 27 months worth of time. NHTSA has already been tasked with studying the feasibility and effects of reducing the use of fuel for automobiles. This report, required by section 773 of the energy bill, is due to Congress later this year.

I would also like to point out to Members that this committee has already significantly increased funding for NHTSA's CAFE office over the past several years. The office, which was funded at $60,000 in fiscal year 2001, was funded at almost $1.3 million last year. Giving NHTSA's CAFE office an extra $6.7 million would likely result in the money simply being unspent.

I am unsure what benefit will be gained by the public if the CAFE office were to be given $6.5 million that they realistically cannot spend. Certainly, it would not result in fuel economy standards being raised faster, which I assume is the gentlewoman's ultimate intent.

So I strongly urge opposition to this amendment.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am going to support this amendment. It seems to me that if we are to move toward energy independence, and particularly, if we are ever going to get away from our dependence on Middle Eastern oil, with all the uncertainty and all of the problems that go along with that, which we have seen much of, then our largest and fastest gains that can possibly be made are in increasing the efficiency of the use of our motor vehicles.

At least a third of all of the oil that we use in this country goes into our transportation sector and to the use of our motor vehicles, and we desperately need to increase the efficiency of those. That is the fastest thing that we can put into place, much faster than the work on a hydrogen economy or an ethanol economy or fuel cells or any one of those. The efficiency of the present fleet and vehicles to be sold in the near future becomes important.

So I think it is very important that when the Energy and Commerce Committee bill, H.R. 5359, which provides the authority for the Secretary of Transportation to set economy standards for passenger cars, when that which is pending on the House calendar, it has been reported out of the Energy and Commerce Committee and it is pending on the House calendar, that when that is passed that there be the resources available at NHTSA to be able to evaluate the technologies and capability of the automobile industry to improve fuel economy as fast as it can reasonably be done.

When NHTSA was first created 30 years ago, and I guess it was when they were first given the job at looking at CAFE standards, they were given $10 million at the first instance 30 years ago to set fuel economy standards, and now $10 million today would probably be something like $40 million.

All the gentlewoman from Illinois is asking for here is an increase from $1.3 million to which the NHTSA account for fuel economy has been reduced to bring that up to $8 million, and the offsets in this instance are $2.7 million, which still leaves the account for the Office of the Secretary at 7 percent, almost $6 million above what it was in fiscal year 2006, even after that $2.7 million is taken out. The other part of the offset is $4 million taken from the transportation planning research and development which with $9 million left in the account still has more than the President requested in his budget submission by almost $100,000.

So I think this is a worthwhile place to put some money and make certain that NHTSA can deal with that as quickly as possible.

Ms. BEAN. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentlewoman from Illinois.

Ms. BEAN. Mr. Chairman, the American people are looking to Congress for leadership in addressing rising energy costs. In the last few weeks, different proposals for increasing our energy supply have come before us. However, few proposals have been offered to address the demand side of the energy equation.

For too long, Congress has allowed a stalemate on innovation and fuel efficiency. This amendment does not mandate increases but, instead, funds research into options.

My amendment gives this Congress an opportunity to strike a balance between keeping auto makers competitive, by addressing the economic impact on them, with the pressing needs of American drivers, because both manufacturers and consumers are looking for an economically viable solution toward the advancement in the fuel efficiency of the cars and trucks we drive.

Let us help the Office of Fuel Economy facilitate public/private partnership solutions to meet the energy demand challenges our Nation is facing.

I urge my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois (Ms. BEAN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. BEAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. ISRAEL

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

The Clerk read as follows:

Amendment offered by Mr. ISRAEL:

Page 2, line 11, after the first dollar amount, insert the following: ''(reduced by $4,724,000)''.

Page 49, line 8, after the dollar amount, insert the following: ''(increased by $9,448,000)''.

Page 63, line 20, after the dollar amount, insert the following: ''(reduced by $4,724,000)''.

Mr. ISRAEL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ISRAEL. Mr. Chairman, my amendment restores funding for certain advanced energy research programs to last year's levels. That research is absolutely critical to reducing our dependence on foreign oil.

The funding in this bill for research and university resource centers is $9,448,000 below last year's levels, and those are the very centers that are researching and developing hydrogen and hybrid and other advanced transportation technologies.

Now, we all understand how vital that research and development is. The President of the United States on this floor during the State of the Union proclaimed that we must reduce our addiction to foreign oil. Anyone in their cars at a gas station today, as we are on the floor, paying over $3 a gallon for gas understands how important it is that we reduce that addiction to foreign oil.

I am a member of the Armed Services Committee. Our military understands how critical that is. Last year, the Department of Defense spent $10 billion on basic energy costs. Of that, $4.7 billion was spent to buy one thing, fuel for Air Force planes.

I was in Iraq last month and was on a wonderful Stryker combat vehicle. It gets about 10 miles to the gallon.

It is dangerous, Mr. Chairman, when we have to borrow money from China to fund defense budgets to buy oil from unstable Persian Gulf countries to fuel our military to protect us from China and unstable Persian Gulf countries.

We have all talked about having men on the Moon, research and development programs to end that dangerous dependence on foreign oil. We have talked about having new Apollo programs to research and develop new vehicles, not lunar landing modules that will put people on the Moon, but hydrogen and hybrid vehicles that will make it easier and safer and less expensive for people to drive on our roads here on Earth. And yet, this bill cuts $9.5 million from the very research centers that are engaged in deploying those vehicles.

This is not a giant leap for mankind. This is not even one small step for mankind. It is a step backwards, and so my amendment does not go above last year's level. It does not take a giant leap that I think we need. All it does is it keeps us steady so we do not continue to lose ground to the very adversaries we have around the world who are willing to use oil as a weapon against us and use oil to blackmail us and compromise our capabilities.

This amendment simply offsets salaries in the Treasury and Transportation accounts and restores $9,448,000 for basic research at the research and university research centers to continue our vital work, and I hope that the House will agree to it and support it.

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

The account he seeks to increase is transit research, not fuel research, and I appreciate his sentiment, but we already gave more than the guarantees, and the guarantees are killing other programs, both transportation and everything else. Repeatedly I see already that the Treasury continues to get hit over and over.

We provide a greater level of funding in 2007 to address two problems. We needed to fix a problem with SAFETEA–LU since the authorizing committee identified more projects and activities than were provided for under the guarantees. We covered that problem and found the money for the fix in order to keep the program going. We added these funds to cover some initiatives important to other Members.

The gentleman proposes to add money for alternative fuels research. However, most of that research is funded out of DOE and NHTSA. This account is for research into transit, as I repeated, and I urge a ''no'' vote on this amendment.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

This amendment that is offered by my good friend from New York, this amendment does exactly what I had spoken about in my opening remarks in relation to this bill and which the chairman of the subcommittee has pointed out as well, that this amendment starts by adding money, assuring money to already what is one of the guaranteed items under the TEA–LU guarantees, which those guarantees had to be provided in order to bring the bill to the floor at all.

This is not a rearrangement of moneys as the previous case was where I had supported the Amtrak amendment because, in that instance, the Transportation and Infrastructure Committee was moving money around totally within its jurisdiction, and I thought that was something that was worth supporting.

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In this instance, what we are doing is taking money from one of the places in the bill which has no guarantees for minima along the way, namely the Treasury, a totally different unit of the bill, a totally different title of the bill, and simply grabs those and moves them over to an area which is already under the guarantees of the TEA-LU bill.

Under those circumstances, I must, regretfully for the gentleman from New York, oppose the amendment; and I hope that it will not be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ISRAEL).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ISRAEL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $8,821,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $13,000,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $120,000,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans for short-term working capital, $495,000, as authorized by 49 U.S.C. 332: *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 these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $396,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $2,970,000, to remain available until September 30, 2008: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $67,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That, in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That, if the funds under this heading are insufficient to meet the costs of the essential air service program in the current fiscal year, the Secretary shall transfer such sums as may be necessary to carry out the essential air service program from any available amounts appropriated to or directly administered by the Office of the Secretary for such fiscal year: *Provided further*, That of the funds made available under this heading, $1,000,000 shall be used to carry out the three marketing incentive programs authorized by section 41748 of title 49, United States Code.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph beginning at the words ''to be derived from the Airport and Airway Trust Fund,'' beginning on page 5, line 23, and ending on line 24.

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The provision would provide that funding for payments to air carriers be derived from the Airport and Airway Trust Fund. Authorization in law may exist for this funding from general revenues, but no specific authorization in law exists for this funding to be derived from the trust fund.

The Chair finds that in this latter respect the provision is not supported by an authorization in law. This is consistent with the ruling of the Chair of June 29, 2005. The point of order is sustained and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

COMPENSATION FOR AIR CARRIERS

(RESCISSION)

Of the funds made available under section 101(a)(2) of Public Law 107–42, $50,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303: *Provided*, That during fiscal year 2007, 49 U.S.C. 41742(b) shall not apply, and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 101.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against page 6, line 22, beginning with ''provided, that'' through line 26.

This proviso violates clause 2 of rule XXI. It changes existing law, which constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this proviso changes the application of existing law. The proviso therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the proviso is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 102. The Secretary of Transportation is authorized to transfer the unexpended balances available for the bonding assistance program from ''Office of the Secretary, Salaries and expenses'' to ''Minority Business Outreach''.

SEC. 103. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 104. None of the funds made available under this Act may be obligated or expended to establish or implement a program under which essential air service communities are required to assume subsidy costs commonly referred to as the EAS local participation program.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $8,360,000,000, of which $4,843,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $6,698,728,000 shall be available for air traffic organization activities; not to exceed $997,718,000 shall be available for aviation regulation and certification activities; not to exceed $11,985,000 shall be available for commercial space transportation activities; not to exceed $92,227,000 shall be available for financial services activities; not to exceed $87,850,000 shall be available for human resources program activities; not to exceed $272,821,000 shall be available for region and center operations and regional coordination activities; not to exceed $175,392,000 shall be available for staff offices; and not to exceed $36,799,000 shall be available for information services: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation regulation and certification budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 810 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $8,000,000 shall be for the contract tower cost-sharing program: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, $3,110,000,000, of which $2,662,100,000 shall remain available until September 30, 2009, and of which $447,900,000 shall remain available until September 30, 2007: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That upon initial submission to the Congress of the fiscal year 2008 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2008 through 2012, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $134,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2009: *Provided*, That there may be credited to this

appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $4,171,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,700,000,000 in fiscal year 2007, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, up to $74,971,000 shall be obligated for administration, up to $10,000,000 shall be available for the airport cooperative research program, up to $12,000,000 shall be available to carry out the Small Community Air Service Development Program, and up to $17,870,000 shall be for airport technology research, to remain available until expended.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against page 13, line 1, beginning with ''; for grants'' through page 13, line 6, ending with the word ''Code.''

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes, again, legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

The provision proposes to earmark certain funds in the bill. Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests in this instance with the committee or other proponent of the provision.

Finding that this burden has not been carried, the point of order is sustained and the provision is stricken from the bill.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against another provision of the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. I raise a point of order against page 13, line 17, beginning with the words ''Provided further'' through line 25.

This provision also violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this proviso explicitly supercedes existing law. The proviso, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the proviso is stricken from the bill.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment, and I ask unanimous consent to have it considered out of order.

The CHAIRMAN. Without objection, the amendment may be considered at this time.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. WATERS:

Page 11, line 8, after each of the dollar amounts, insert the following: ''(reduced by $261,000,000)''.

Page 85, line 11, after the dollar amount, insert the following: ''(increased by $261,000,000)''.

Ms. WATERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATERS. Mr. Chairman, I believe that before this bill is enacted into law we must reverse an unwise pattern of disinvestment in the Nation's public housing. Therefore, I am introducing an amendment to restore the $261 million reduction in the Public Housing Capital Fund.

America's public housing inventory is a $100 billion public asset providing affordable housing to 1.1 million families. Just over half of these families are headed by the elderly or persons with disabilities, and children make up approximately 40 percent of all those we help. Public housing helps families and the elderly in large and small communities across the country in every congressional district.

In addition to safe, decent, affordable housing, public housing agencies connect people to the services they need, services that help adults become economically self-sufficient, provide children safe places to grow and learn, and allow the elderly and persons with disabilities to live independently.

Public housing funding has been declining since 2001. Despite the estimated $100 billion value of public housing assets to our communities, this bill does not provide funding necessary to maintain them for the long run. Total Federal funding for public housing has dropped precipitously over this decade. The bill before us provides $1.4 billion less than provided for funding year 2001, that is, the President's budget for funding year 2007 requests nearly $1.5 billion less for public housing than Congress provided for funding year 2001.

This drop in resources has constrained local agencies' ability to address safety and security needs, provide valuable services to those seeking economic self-sufficiency and independent living, and undermines agencies' ability to meet the recent surge in utility costs. This decline in funding is most egregious in the area of capital repair funding.

Public housing faces an estimated $18 billion backlog of capital repairs. According to a HUD-funded study, an additional $2 billion in capital repair needs accrues each year as buildings age. The President's budget and this bill cuts funding for the public housing capital funds for major repairs by $261 million, that is 11 percent compared with last year's funding. In fact, the capital fund has been cut each year since 2001, declining a total of 27 percent over 6 years if this budget is enacted.

The capital funds provided in this bill are barely sufficient to cover annually accruing needs, let alone address the backlog of need. The National Association of Housing and Redevelopment Officials estimates that $3.5 billion is necessary to begin to address the backlog of need in funding year 2007.

At the same time we are cutting basic capital repair funds, this bill also zeros out funding for the HOPE VI program for comprehensive revitalization of the most distressed public housing communities as requested by the administration. My colleague, JOHN OLVER, categorized this approach of cutting annual capital repair funding as, and I quote, ''penny-wise and pound foolish,'' and that is exactly what this is.

Mr. Chairman, I would ask my colleagues to embrace the intent of my capital fund amendment in order to secure the ongoing viability of this valuable affordable housing asset. Unless greater measures are taken by HUD to preserve this affordable asset called public housing, this unique asset and the larger continuum of a sound Federal affordable housing policy will be degraded and eventually lost. And that is a plan that our communities, our seniors, and our families with children cannot afford.

Mr. Chairman, in closing, let me just say that these are our most vulnerable citizens, and they need a safety net. While we want them to improve their lives, we want them to become independent. We are trying to have programs that will transition them to work and out of public housing. It is not going to happen unless we have reasonable and sensible investment to make these safe, sound, and secure places for our citizens to live.

Again, we need this in all of our congressional districts. As a matter of fact, the poor have nowhere else to turn. They are depending on us. I would ask us not to be penny-wise and pound-foolish, but rather to make what I think is one of the most prudent investments we can make.

The CHAIRMAN. The time of the gentlewoman from California has expired.

Ms. WATERS. Mr. Chairman, I ask unanimous consent to proceed for 30 additional seconds to close this out.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman has asked unanimous consent to proceed for 30 additional seconds.

Is there objection to the gentlewoman's unanimous consent request? If not, the gentlewoman is recognized for an additional 30 seconds.

Mr. OLVER. Mr. Chairman, I moved to strike the last word.

The CHAIRMAN. The Chair recognizes the gentlewoman for an additional 30 seconds.

Ms. WATERS. Mr. Chairman, I appreciate the time that has been allotted and I move to withdraw the amendment. I have not been able to find the funds to replace that which has been cut. I appreciate the time to at least explain it.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

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Mr. OLVER. Mr. Chairman, I move to strike the last word.

If I had been allowed to move to strike the last word, I would have been happy to yield 30 seconds to the gentlewoman after I made a comment which relates to the amendment she offered.

The CHAIRMAN. The gentlewoman asked unanimous consent to proceed for an additional 30 seconds, and the Chair responded to her unanimous consent request and granted her the 30 seconds that she requested.

Mr. OLVER. Mr. Chairman, I just want to point out that this is one of those cutting-the-baby-in-two kinds of situations that has been forced upon the TTHUD committee by the allocation and the relationship, the juxtaposition of guarantees under the transportation accounts and no such guarantees under some of the others.

The $261 million that the gentlewoman asked to be provided by an offset which would have placed the bill under point of order and is under point of order if she had not withdrawn the amendment. That $261 million would have protected a very important infrastructure investment that we have.

We have $100 billion worth of housing under the public housing capital fund, and it is that capital fund which does the renovations, the rehabilitations, the replacements of those facilities, and it is a very important piece which I have spoken about at each stage of this process, every one of the stages, even before, Mr. Chairman, your committee just last night about the need for additional funding in the public housing capital fund.

I am very much hopeful that we will be able to find before this process runs its course to the final conference report, that we will be able to find some additional money for the public housing capital fund so we can, in fact, do something about the huge backlog which has been listed by the gentlewoman as close to $20 billion of backlog in needs for capital repair and improvements in our $100 billion of housing stock.

So that is one of the dilemmas that the subcommittee, the chairman and the staff and the committee as a whole has been laboring under, and I hope to find a way to provide some relief for the problem.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the amounts authorized for the fiscal year ending September 30, 2007 and prior years under sections 48103 and 48112 of title 49, United States Code, $25,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. Notwithstanding any other provision of law, airports may transfer without consideration to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant: *Provided,* That the Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 111. None of the funds in this Act may be used to compensate in excess of 380 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2006.

SEC. 112. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided,* That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

SEC. 115. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking ''2006,'' each place it appears and inserting ''2007,''.

(b) Section 44303(b) of such title is amended by striking ''2006,'' and inserting ''2007,''.

SEC. 116. None of the funds made available in this Act shall be used for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration, not to exceed $372,504,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $39,086,464,683 for Federal-aid highways and highway safety construction programs for fiscal year 2007: *Provided,* That within this obligation limitation on Federal-aid highways and highway safety construction programs, not more than $429,800,000 shall be available for the implementation or execution of programs for transportation research (chapter 5 of title 23, United States Code; sections 111, 5505, and 5506 of title 49, United States Code; and title 5 of Public Law 109–59) for fiscal year 2007: *Provided further,* That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: *Provided further,* That the funds authorized pursuant to 23 U.S.C. 110 for the motor carrier safety grant program, and the obligation limitation associated with such funds provided under this heading, shall be transferred to the Federal Motor Carrier Safety Administration: *Provided further,* That the Secretary may, as authorized by section 605(b) of title 23, United States Code, collect and spend fees to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal government of servicing such credit instruments: *Provided further,* That such fees are available until expended to pay for such costs: *Provided further,* That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to

Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $39,086,464,683 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, $2,000,000,000 are rescinded: *Provided,* That such rescission shall not apply to the funds distributed in accordance with 23 U.S.C. 130(f), 23 U.S.C. 133(d)(1) as in effect prior to the date of enactment of Public Law 109–59, the first sentence of 23 U.S.C. 133(d)(3)(A), 23 U.S.C. 104(b)(5), or 23 U.S.C. 163 as in effect prior to the enactment of Public Law 109–59.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

(INCLUDING RESCISSIONS)

SEC. 120. (a) For fiscal year 2007, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; the highway use tax evasion program; and the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for previous fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (9) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(10) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4)(A) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for sections 1301, 1302, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; sections 117 (but individually for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) and 144(g) of title 23, United States Code; and section 14501 of title 40, United States Code, so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for that section for the fiscal year; and

(B) distribute $2,000,000,000 for section 105 of title 23, United States Code;

(5) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4), for each of the programs that are allocated by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code (other than to programs to which paragraphs (1) and (4) apply), by multiplying the ratio determined under paragraph (3) by the amounts authorized to be appropriated for each such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5), for Federal-aid highways and highway safety construction programs (other than the amounts apportioned for the equity bonus program, but only to the extent that the amounts apportioned for the equity bonus program for the fiscal year are greater than $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, in the ratio that—

(A) amounts authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the amounts authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982; (5) under subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code, as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years; (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that the obligation authority has not lapsed or been used; (10) under section 105 of title 23, United States Code, but only in an amount equal to $639,000,000 for each of fiscal years 2005, 2006 and 2007; and (11) under section 1603 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year, revise a distribution of the obligation limitation made available under subsection (a) if the amount distributed cannot be obligated during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and title V (research title) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same ratio as the distribution of obligation authority under subsection (a)(6).

(3) AVAILABILITY.—Funds distributed under paragraph (1) shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL LIMITATION CHARACTERISTICS.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for the provision specified in subsection (a)(4) shall—

(1) remain available until used for obligation of funds for that provision; and

(2) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) HIGH PRIORITY PROJECT FLEXIBILITY.—

(1) IN GENERAL.—Subject to paragraph (2), obligation authority distributed for such fiscal year under subsection (a)(4) for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users may be obligated for any other project in such section in the same State.

(2) RESTORATION.—Obligation authority used as described in paragraph (1) shall be restored to the original purpose on the date on which obligation authority is distributed under this section for the next fiscal year following obligation under paragraph (1).

(h) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the distribution of obligation authority under subsection (a)(4)(A) for each of the individual projects numbered greater than 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 120.

The CHAIRMAN. The gentleman may state his point of order.

Mr. MICA. Mr. Chairman, this provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

The Chair finds that this section imparts direction to the executive. The

section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 122. Notwithstanding any other provision of law, funds authorized under section 110 of title 23, United States Code, for fiscal year 2007 shall be apportioned to the States in accordance with section 1105(f) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144, 1166), except that before allocations in accordance with section 1105(f)(3) of such Act are made, $300,000,000 shall be set aside for the Transportation, Community, and System Preservation Program under section 1117 of such Act (119 Stat. at 1177–1179) and administered in accordance with section 1117(g)(2) of such Act.

SEC. 123. Notwithstanding any other provision of law, funds provided in Public Law 102–143 in the item relating to ''Highway Bypass Demonstration Project'' shall be available for the improvement of Route 101 in the vicinity of Prunedale, Monterey County, California.

SEC. 124. Of the unobligated balances made available under Public Law 101–516, Public Law 102–143, Public Law 102–240, Public Law 103–331, Public Law 105–178, Public Law 106–346, Public Law 107–87, and Public Law 108–7, $12,177,193.53 are rescinded.

SEC. 125. Of the unobligated balances made available under section 188(a)(1) of title 23, United States Code, as in effect prior to the date of enactment of Public Law 109–59, and under section 608(a)(1) of such title, $100,000,000 are rescinded.

SEC. 126. Of the amounts made available under section 104(a) of title 23, United States Code, $14,460,721 is rescinded.

SEC. 127. Of the unobligated balances made available for fiscal year 2005, under title 5 of Public Law 109–59, for the implementation or execution of programs for transportation research, $37,815,112 is rescinded.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 127.

The CHAIRMAN. The gentleman may state his point of order.

Mr. MICA. Mr. Chairman, this provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

Under clause 2(b) of rule XXI, the Committee on Appropriations may recommend rescissions only of appropriations that were contained in prior appropriations Acts, but not rescissions of contract authority that is contained in other laws.

Therefore, the point of order is sustained. The section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 128. Notwithstanding any other provision of law, funds provided under section 378 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (Public Law 106–346, 114 Stat. 1356, 1356A–41), for the reconstruction of School Road East in Marlboro Township, New Jersey, shall be available for the Spring Valley Road Project in Marlboro Township, New Jersey.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available or limited by this Act shall be used for (1) the development, planning, design, or construction of a bridge joining the Island of Gravina to the Community of Ketchikan, Alaska; (2) the development, planning, design, or construction of the Knik Arm Bridge, Alaska; or (3) any administrative expense of the Federal Highway Administration to provide payment or reimbursement for any expense incurred by the State of Alaska in carrying out an activity described in paragraph (1) or (2).

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, $294,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $294,000,000, for ''Motor Carrier Safety Grants''; of which $197,000,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104(a) of title 49, United States Code; $25,000,000 shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; $32,000,000 shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; $5,000,000 shall be available for the performance and registration information system management program to carry out sections 31106(b) and 31109 of title 49, United States Code; $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109–59; $3,000,000 shall be available for the safety data improvement program to carry out section 4128 of Public Law 109–59; and $7,000,000 shall be available for the commercial driver's license information system modernization program to carry out section 31309(e) of title 49, United States Code.

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution, and administration of the motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, $223,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of $223,000,000, for ''Motor Carrier Safety Operations and Programs'', of which $10,296,000, to remain available for obligation until September 30, 2009, is for the research and technology program and $1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109–59: *Provided further*, That none of the funds under this heading for outreach and education shall be available for transfer.

MOTOR CARRIER SAFETY

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, $27,122,669 in unobligated balances are rescinded.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, $3,419,816 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under subtitle C of title X of Public Law 105–59, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $122,000,000, of which $48,405,000 shall remain available until September 30, 2009: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, $107,750,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2007, are in excess of $107,750,000 for programs authorized under 23 U.S.C. 403.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, $6,772,751 in unobligated balances are rescinded.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, $4,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $4,000,000 for the National Driver Register authorized under chapter 303 of title 49, United States Code.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, $8,553 in unobligated balances are rescinded.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, to remain available until expended, $587,750,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2007, are in excess of $587,750,000 for programs authorized under 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, of which $220,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $25,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405; $124,500,000 shall be for ''Safety Belt Performance Grants'' under 23 U.S.C. 406; $34,500,000 shall be for ''State Traffic Safety Information System Improvements'' under 23 U.S.C. 408; $125,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Incentive Grant Program'' under 23 U.S.C. 410; $17,750,000 shall be for ''Administrative Expenses'' under section 2001(a)(11) of Public Law 109–59; $29,000,000 shall be for ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59; $6,000,000 shall be for ''Motorcyclist Safety'' under section 2010 of Public Law 109–59; and $6,000,000 shall be for ''Child Safety and Child Booster Seat Safety Incentive Grants'' under section 2011 of Public Law 109–59: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States: *Provided further*, That not to exceed $750,000 of the funds made available for the ''High Visibility Enforcement Program'' shall be available for the evaluation required under section 2009(f) of Public Law 109–59.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, $5,646,863 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. Notwithstanding any other provision of law or limitation on the use of funds made available under section 403 of title 23, United States Code, an additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $150,083,000, of which $13,870,890 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $34,650,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2007.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the maintenance and repair of capital infrastructure owned by the National Railroad Passenger Corporation, including railroad equipment, rolling stock, legal mandates and other services, $500,000,000, to remain available until expended, of which not to exceed $280,000,000 shall be for debt service obligations: *Provided*, That the Secretary of Transportation shall approve funding for capital expenditures, including advance purchase orders, for the National Railroad Passenger Corporation only after receiving and reviewing a grant request for each specific capital grant justifying the Federal support to the Secretary's satisfaction: *Provided further*, That none of the funds under this heading may be used to subsidize operating losses of the National Railroad Passenger Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation and on the National Railroad Passenger Corporation's fiscal year 2007 business plan.

EFFICIENCY INCENTIVE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(INCLUDING TRANSFER OF FUNDS)

For an additional amount to be made available to the Secretary for efficiency incentive grants to the National Railroad Passenger Corporation, $400,000,000, to remain available until expended: *Provided*, That the Secretary may make grants to the National Railroad Passenger Corporation for an additional sum for operating subsidies at any time during the fiscal year for the purpose of maintaining the operation of existing or new Amtrak routes: *Provided further*, That nothing in the previous proviso should be interpreted either to encourage or discourage the Corporation with respect to adjusting existing routes or frequencies: *Provided further*, That the Secretary of Transportation shall reserve $60,000,000 of the funds provided under this heading and is authorized to transfer such sums to the Surface Transportation Board, upon request from said Board, to carry out directed service orders issued pursuant to section 11123 of title 49, United States Code, to respond to the cessation of commuter rail operations by the National Railroad Passenger Corporation: *Provided further*, That the Secretary of Transportation shall make the reserved funds available to the National Railroad Passenger Corporation through an appropriate grant instrument not earlier than September 1, 2007 to the extent that no directed service orders have been issued by the Surface Transportation Board as of the date of transfer or there is a balance of reserved funds not needed by the Board to pay for any directed service order issued through September 30, 2007: *Provided further*, That upon the receipt and approval of Amtrak's fiscal year 2007 business plan and if the Secretary deems it in the best interests of the transportation system, in his sole discretion, the Secretary may make grants to the Corporation at such times and in such amounts for intercity passenger rail, including coverage of operating losses of the Corporation: *Provided further*, That the Secretary shall approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That the Corporation is directed to achieve savings through the operating efficiencies including, but not limited to, modifications to food and beverage service and first class service and efficiencies in overhead: *Provided further*, That the Inspector General of the Department of Transportation shall report to the House and Senate Committees on Appropriations beginning three months after the date of the enactment of this Act and quarterly thereafter with estimates of the savings accrued as a result of all operational reforms instituted by the Corporation: *Provided further*, That if the Inspector General cannot certify that the Corporation has achieved operational savings by July 1, 2007, none of the funds in this Act may be used after July 1, 2007, to subsidize the net losses of food and beverage service and sleeper car service on any Amtrak route: *Provided further*, That not later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a detailed plan to improve the financial performance of food and beverage service and a detailed plan to improve the financial performance of first class service (including sleeping car service) so that these services are revenue neutral or better on a fully allocated cost basis no later than October 1, 2008: *Provided further*, That these plans shall include milestones and target dates for implementation and projected cost savings in fiscal years 2007 and 2008 and that Amtrak shall report quarterly to the House and Senate Committees on Appropriations on its progress in implementing these plans, quantify savings realized to date on a monthly basis compared to those projected in the plans, identify any changes in the plans or delays in implementing these plans, and identify the causes of delay and proposed corrective measures: *Provided further*, That not later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a report on its overhead expenses as of October 1, 2006, identifying those that are directly associated with a specific route or group of routes or lines of

business and those system overhead expenses not directly charged to specific trains, routes or other lines of business, and a plan to reduce system overhead expenses by 10 percent annually through strategic investments, transfer of responsibilities to entities that request Amtrak provide specific services, and other measures: *Provided further*, That as part of its report and plan to reduce overhead expenses, Amtrak shall include a report on the expenses associated with intercity passenger rail reservations and ticketing, including a comparison of such expenses to those associated with domestic airlines and intercity bus service, and a plan, including milestones and target dates, for reducing the expenses associated with its reservations and ticketing including technology enhancements, the use of electronic ticketing, and such other measures that will result in expense savings, enhanced revenue, and assure accurate manifests of passengers on specific trains at all times: *Provided further*, That not later than October 1, 2008, Amtrak shall reduce its system overhead expenses by 10 percent from the level identified as existing on October 1, 2006, and in each subsequent fiscal year, reduce system overhead expenses by 10 percent of the level existing on October 1 of the immediate preceding year: *Provided further*, That if the Inspector General deems it necessary for the continued development and implementation, not less than $5,000,000 of the funds provided under this section shall be expended for the managerial cost accounting system, which includes average and marginal unit cost capability: *Provided further*, That within 30 days of the development of the managerial cost accounting system, the Department of Transportation's Inspector General shall review and comment to the Secretary and the House and Senate Committees on Appropriations upon the strengths and weaknesses of the system and how it best can be implemented to improve decision making by the Board of Directors and management of the Corporation: *Provided further*, That no later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a detailed plan, including milestones, target dates and cost estimates, to improve its management cost accounting system and integrate such system with the Corporation's other processes including budgeting, financial forecasting and modeling, and accounting, to permit more informed decisions by management and the Board of Directors as to the financial ramifications of proposed changes to routes and services: *Provided further*, That, as part of the plan to improve its management cost accounting system, Amtrak shall include a plan to improve or replace the Corporation's Route Profitability System (RPS) to provide more current, accurate, and clear information on revenues and expenses on all of the Corporation's routes and services, including the allocation of expenses not directly charged to specific trains, routes, or other business lines: *Provided further*, That not later than 60 days after the enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and Senate Committee on Commerce, Science, and Transportation a comprehensive business plan approved by the Board of Directors for fiscal year 2007 under 49 U.S.C. 24104(a): *Provided further*, That the business plan shall include, as applicable, targets for ridership, revenues, and capital and operating expenses: *Provided further*, That the plan shall also include a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak service; State-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: *Provided further*, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by the business plan: *Provided further*, That the Corporation shall continue to provide monthly reports in electronic format regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes, and shall identify all sole source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole source basis: *Provided further*, That none of the funds in this Act may be used for operating expenses, including advance purchase orders, not approved by the Secretary and in the Corporation's fiscal year 2007 business plan: *Provided further*, That the Corporation shall display the business plan and all subsequent supplemental plans on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: *Provided further*, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue to abide by the provisions of paragraphs 1, 2, 3, 5, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act: *Provided further*, That the Secretary may, at his discretion, condition the award of efficiency incentive grant funds on reform requirements for the Corporation and his assessment of progress towards such reform requirements: *Provided further*, That none of the funds provided in this Act may be used after March 1, 2006, to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal, peak fare.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary may purchase promotional items of nominal value for use in public outreach activities to accomplish the purposes of 49 U.S.C. 20134: *Provided*, That the Secretary shall prescribe guidelines for the administration of such purchases and use.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $85,000,000: *Provided*, That of the funds available under this heading, not to exceed $1,063,000 shall be available for the Office of the Administrator; not to exceed $7,654,000 shall be available for the Office of Administration; not to exceed $4,273,000 shall be available for the Office of the Chief Counsel; not to exceed $1,394,000 shall be available for the Office of Communication and Congressional Affairs; not to exceed $8,403,000 shall be available for the Office of Program Management; not to exceed $9,259,000 shall be available for the Office of Budget and Policy; not to exceed $4,876,000 shall be available for the Office of Demonstration and Innovation; not to exceed $3,272,000 shall be available for the Office of Civil Rights; not to exceed $4,718,000 shall be available for the Office of Planning; not to exceed $22,420,000 shall be available for regional offices; and not to exceed $17,668,000 shall be available for the central account: *Provided further*, That the Administrator is authorized to transfer funds appropriated for an office of the Federal Transit Administration: *Provided further*, That no appropriation for an office shall be increased or decreased by more than a total of 5 percent during the fiscal year by all such transfers: *Provided further*, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That any funding transferred from the central account shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: *Provided further*, That upon submission to the Congress of the fiscal year 2008 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, including proposed allocations of funds for fiscal year 2008.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, $3,925,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, *5316*, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, shall not exceed total obligations of $7,262,775,000 in fiscal year 2007: *Provided further*, That $28,660,920 in unobligated balances are cancelled.

RESEARCH AND UNIVERSITY RESEARCH CENTERS

For necessary expenses to carry out 49 U.S.C. 5306, 5312–5315, 5322, and 5506, $65,000,000, to remain available until expended: *Provided*, That $9,300,000 is available to carry out the transit cooperative research program under section 5313 of title 49, United States Code, $4,300,000 is available for the National Transit Institute under section 5315 of title 49, United States Code, $7,000,000 is available for university transportation centers program under section 5506 of title 49, United States Code: *Provided further*, That $49,400,000 is available to carry out national research programs under sections 5312, 5313, 5314, and 5322 of title 49, United States Code.

CAPITAL INVESTMENT GRANTS

(INCLUDING RESCISSION)

For necessary expenses to carry out section 5309 of title 49, United States Code, $1,566,000,000, to remain available until expended: *Provided*, That $17,760,000 in unobligated balances are cancelled.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds made available by this Act under ''Federal Transit Administration, Capital investment grants'' and bus and bus facilities under ''Federal Transit Administration, Formula and Bus Grants'' for projects

specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2009, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2006, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. During fiscal years 2007 and 2008, each Federal Transit Administration grant for a project that involves the acquisition of rehabilitation of a bus to be used in public transportation shall be for 100 percent of the net capital costs of a factory-installed or retrofitted hybrid electric propulsion system and any equipment related to such a system: Provided, That the Secretary shall have the discretion to determine, through practicable administrative procedures, the costs attributable to the system and related-equipment.

SEC. 164. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading ''Federal Transit Administration, Capital Investment Grants'' in any appropriations Act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects for activities eligible in the year the funds were appropriated.

SEC. 165. Hereinafter, the non-Federal share of the net project cost of the San Gabriel Valley Metro Gold Line connecting Los Angeles, South Pasadena and Pasadena shall be counted toward satisfying the Federal matching requirements under 49 U.S.C. 5309 on any phase of the San Gabriel Valley Gold Line Foothill Extension continuing from Pasadena to Montclair.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $17,425,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $154,440,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $116,442,000, of which $24,009,000 shall remain available until September 30, 2007, for salaries and benefits of employees of the United States Merchant Marine Academy; of which $14,850,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which $7,920,000 shall remain available until expended for the State Maritime Schools Schoolship Maintenance and Repair.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $25,740,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS AND RESCISSION)

For administrative expenses to carry out the guaranteed loan program, not to exceed $3,317,000, which shall be transferred to and merged with the appropriation for Operations and Training: *Provided*, That of the unobligated balances available under this heading, $2,000,000 are cancelled.

NATIONAL DEFENSE TANK VESSEL CONSTRUCTION PROGRAM

(RESCISSION)

All unobligated balances under this heading are rescinded.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936 (46 App. U.S.C. 1101 et seq.), or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriations Act.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Pipeline and Hazardous Materials Safety Administration, $17,721,000, of which $639,000 shall be derived from the Pipeline Safety Fund.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $27,225,000, of which $2,111,000 shall remain available until September 30, 2009: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $75,735,000, of which $18,810,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2009; of which $56,925,000 shall be derived from the Pipeline Safety Fund, of which $24,000,000 shall remain available until September 30, 2009: *Provided*, That not less than $1,000,000 of the funds provided under this heading shall be for the one-call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $198,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2008: *Provided*, That not more than $28,328,000 shall be made available for obligation in fiscal year 2007 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)–(c): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, $6,367,000, of which $1,120,000 shall remain available until September 30, 2009: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $64,143,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $25,618,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2007, to result in a final appropriation from the general fund estimated at no more than $24,368,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 180. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase

of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 184. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 185. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Research and University Research Centers'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 186. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 187. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: *Provided*, That no notification shall involve funds that are not available for obligation.

SEC. 188. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 189. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided*, That the Secretary shall report annually to the House and Senate Committees on Appropriations the amount and reasons for these transfers: *Provided further*, That for purposes of this section, the term ''improper payments'', has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

This title may be cited as the ''Department of Transportation Appropriations Act, 2007''.

TITLE II

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, $223,786,000, of which not to exceed $8,760,000 is for executive direction program activities; not to exceed $8,741,000 is for general counsel program activities; not to exceed $41,947,000 is for economic policies and programs activities; not to exceed $27,086,000 is for financial policies and programs activities; not to exceed $45,401,000 is for terrorism and financial intelligence activities; not to exceed $18,534,000 is for Treasury-wide management policies and programs activities; and not to exceed $73,317,000 is for administration programs activities: *Provided*, That the Secretary of the Treasury is authorized to transfer funds appropriated for any program activity of the Departmental Offices to any other program activity of the Departmental Offices upon notification to the House and Senate Committees on Appropriations: *Provided further*, That no appropriation for any program activity shall be increased or decreased by more than three percent by all such transfers: *Provided further*, That any change in funding greater than three percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That of the amount appropriated under this heading, not to exceed $3,000,000, to remain available until September 30, 2008, for information technology modernization requirements; not to exceed $100,000 for official reception and representation expenses; and not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: *Provided further*, That of the amount appropriated under this heading, $5,114,000, to remain available until September 30, 2008, is for the Treasury-wide Financial Statement Audit and Internal Control Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: *Provided further*, That this transfer authority shall be in addition to any other provided in this Act.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $34,032,000, to remain available until September 30, 2009: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement ''Internal Revenue Service, Operations Support'' or ''Internal Revenue Service, Business Systems Modernization''.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $17,352,000, of which not to exceed $2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $136,469,000; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

AIR TRANSPORTATION STABILIZATION PROGRAM ACCOUNT

In fiscal year 2007, the Air Transportation Stabilization Board may charge fees to a borrower for the costs to the Air Transportation Stabilization Board associated with bankruptcy proceedings of the borrower. Such fees shall be collected and deposited in the Air Transportation Stabilization Program Account, to be available for such costs.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to

Federal law enforcement agencies, with or without reimbursement, $84,066,000, of which not to exceed $14,012,000 shall remain available until September 30, 2009; and of which $8,651,000 shall remain available until September 30, 2008: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $233,654,000, of which not to exceed $9,220,000 shall remain available until September 30, 2009, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $92,604,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2007 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $30,200,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $180,789,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until September 30, 2009, for systems modernization: *Provided*, That the sum appropriated herein from the general fund for fiscal year 2007 shall be reduced by not more than $3,000,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2007 appropriation from the general fund estimated at $177,789,000. In addition, $70,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994 (Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $40,000,000, to remain available until September 30, 2008, of which up to $12,800,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to $6,000,000 may be used for the cost of direct loans, and up to $250,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $11,000,000.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,059,151,000, of which up to $4,100,000 shall be for the Tax Counseling for the Elderly Program, and of which $8,000,000 shall be available for low-income taxpayer clinic grants.

ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,757,126,000, of which not less than $55,584,000 shall be for the Interagency Crime and Drug Enforcement program: *Provided*, That up to $10,000,000 may be transferred as necessary from this account to the Internal Revenue Service Operations Support appropriation solely for the purposes of the Interagency Crime and Drug Enforcement program: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to operate and support taxpayer services and tax law enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 US.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,438,404,000, of which $1,447,451,000 shall be for information systems and telecommunications support; of which not to exceed $1,000,000 shall remain available until September 30, 2009, for research; of which not to exceed $1,500,000 shall be for the Internal Revenue Service Oversight Board; and of which not to exceed $25,000 shall be for official reception and representation: *Provided*, That of the amount made available for information systems and telecommunication support, $75,000,000 shall remain available until September 30, 2008, for information technology support.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service for the business systems modernization program, $212,310,000, of which not less than $167,310,000 shall remain available until September 30, 2009, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That none of the funds for capital asset acquisition of information technology systems may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

□ 1815

AMENDMENT OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

Mr. GARY G. MILLER of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARY G. MILLER of California:

Page 73, line 8, after the first dollar amount, insert the following: ''(reduced by $15,000,000)''.

Page 92, line 12, after the dollar amount, insert the following: ''(increased by $15,000,000)''.

Mr. GARY G. MILLER of California. Mr. Chairman, I have a modest amendment to ensure HUD can continue to work the redevelopment of brownfield sites to local communities.

I would like to commend Chairman KNOLLENBERG. I am on the Financial Services Committee and Transportation Committee, and he has worked very hard and responsibly to fund the Nation's housing and transportation needs during this very, very tight budget year. I am pleased that the bill boosts highway spending, supports aviation, addresses America's critical housing needs, supports national anti-drug efforts.

This amendment today basically keeps the BEDI program going, which redevelops brownfields through the HUD administration. The estimate is 450,000 vacant sites lay idle throughout this country. They are underused industrial sites as a result of environmental contamination caused by chemical compounds and other hazardous substances.

The basic year's budget transfers all the funding to EPA. EPA has a completely different objective than HUD does through the BEDI Program. BEDI grants are basically used for economic development. We passed out a bill I offered last year, H.R. 280, that is in the Senate today to restructure the BEDI Program, making a simpler program more usable to local communities. Currently, to get a BEDI grant you have to apply for a section 108 loan, then in repayment you have to guarantee your CDBG funds and pledge those to repay that loan. Some communities don't receive CDBG funds directly, so they

could not apply for section 108. And the other communities who can, don't want to readily pledge those CDBG funds because many community organizations and efforts are undertaken with the utilization of these funds. These brownfield sites threaten our groundwater. They cost local communities jobs and revenues. It is estimated if we could clean these 450,000 brownfield sites up, it would generate an additional 550,000 jobs throughout this country and $2.4 billion in new tax revenues for its cities and towns.

The communities I represent and communities throughout this country want this program. The problem they have had is it has been a complex program in the past. I thank Chairman KNOLLENBERG. Last year you accepted an amendment of mine which kept this program going. And the understanding I had was we need to do legislation to modify the program in order to make it more accessible to communities. We have done that. It passed out of this floor on unanimous consent. It is in the Senate currently. And we hope to have that addressed in the Senate and made into law so we can keep this viable program going.

EDDIE BERNICE JOHNSON has been a true partner working with me on this, and I yield to the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I want to begin by commending the gentleman from Michigan, Chairman KNOLLENBERG, and the ranking member, the gentleman from Massachusetts (Mr. OLVER), for their good work on this bill in the midst of an extremely tight budget environment. Both gentlemen have had to make some very unpopular decisions.

However, as I stated last year, eliminating the funding for brownfield redevelopment programs should be reconsidered. As a result, I rise today in strong support of the Miller-Johnson amendment to H.R. 5576.

Similar to last year, the gentleman from California and I offered this amendment today because we both feel that it is time for this body to get really serious about eliminating the Nation's estimated 500,000 brownfields.

The amendment increases the Department of Housing and Urban Development Brownfields Redevelopment Program account by $15 million.

In its present form, H.R. 5576 provides no funding for a program that has helped to transform communities, large and small, throughout the country.

The amendment calls for a corresponding offset through a reduction of $15 million within the Business Systems Modernization Account in the Treasury title. Currently, the Business Systems Modernization Account is $45 million above the administration's request, and $15.3 million above last year's request.

While I respect the committee's view that HUD funding is no longer essential or appropriate due to the EPA's expanded authority and increased appropriations, this is certainly a view that I do not share.

First of all, I believe it is important to note that there are clear distinctions between EPA's Brownfields Program relative to HUD's.

Although both are equally important, EPA's program focuses primarily on cleanup, whereas the focus of HUD's program is on redevelopment of brownfield sites once cleanup is complete.

It is true that the authority of the EPA has been expanded. However, the consistent and chronic underfunding of the Brownfields Program by the President and the Congress leave much to be desired in terms of corresponding appropriations.

In fact, appropriations for brownfields assessment and cleanup peaked.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. GARY G. MILLER of California was allowed to proceed for 30 additional seconds.)

Mr. GARY G. MILLER of California. I yield to the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Appropriations for brownfields assessment cleanup peaked at $97.7 million in fiscal year 2002 and is only $89 million in this year's interior and environment appropriations bill.

Last week before the Subcommittee on Water Resources and Environment, where I serve as ranking member, an EPA assistant administrator testified that for fiscal year 2006 EPA received nearly 700 proposals for Brownfield Grants. Unfortunately, EPA funded less than 45 percent of these.

Mr. Chairman, our communities are very deserving of these strong HUD-administered brownfields programs. If you watch the game tonight, look at the American Center. Oh, you won't see that one. It will be in Miami tonight. But that was a brownfield in Dallas.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

I have always felt very strongly about Mr. MILLER and his ideas. I do have a problem with this particular amendment. I oppose any amendment to continue the Brownfields Program, which is recommended for elimination as part of a broad sweep of lower priority programs. We must reduce or eliminate these duplicative programs in order to free up the funds for the highest priorities in HUD, which is, among other things, assistance to extremely low-income families and restoring funds for community development.

Last year Congress recognized the lack of use of this program and rescinded $10 million in unused prior-year appropriations. The money wasn't being spent.

The activities of the Brownfields Program remain, as they have been, eligible uses for CDBG funds. States and communities can use these funds for this purpose if they choose to do so.

In addition, there are nearly two dozen Federal programs that can help communities in one way or another to assess, clean up and reuse brownfield sites.

EPA's Brownfield Program has awarded 883 assessment grants totaling $225.4 million, 202 revolving loan fund grants totaling $186.7 million, 238 cleanup grants totaling $42.7 million.

By comparison, HUD's program has been extremely slow and funds are often used as a loan loss reserve, rather than as grants for reconstructing sites.

HUD grants are a tiny fraction of project development costs. They represent just 2.3 percent of the total development costs on average. For each HUD dollar, there was $28 in private and $12 in State and local funds committed with an average of five State, local, and private sources of funding or financing for each project. HUD funding is not critical to any decision to proceed with a project or makes any difference to the completion of a project.

This amendment, and we are being hit already early in title II, this amendment cuts the IRS's Business Systems Modernization Program by $15 million. While it appears this account is $45 million above the President's request, it is actually just a restructuring of the IRS accounts. In fact, BSM is currently funded below last year's level. Cutting this $15 million will force IRS to lay off many of the 317 personnel. Let me repeat that: 317 personnel who are currently working on the BSM project, delaying all work on the modernization of IRS legacy systems.

So it is for those reasons that I urge a ''no'' vote on this amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to make a final plea for this program. Even if there might be a few people less in these Departments, it does not compare with what a small investment does to get rid of brownfields anywhere they are, because once this property is put back on the tax rolls, it generates more than ever than what is put into it.

□ 1830

And I want to express my appreciation to Mr. KNOLLENBERG because he has been helpful. But I would make a plea that this is a lot larger than what was requested, and that is the reason why we chose to take it from there.

We all have to tighten our belts. We all have to give up a little more than what we had. But I can assure you that allowing property to not be on a tax roll will go a lot longer way when you put the money there, just a small amount of money, than doing without two or three staff people.

I just imagine that any Department in this Nation can function with just a

few less staff than what they have now and do the same job. If we cannot, then we are not doing as well as the private industry because they have cut half of their staff and are still doing the same job. That is called higher productivity, and maybe that is what we need in some of these Departments is higher productivity, while half of the people at home and the other half are doing the full job. But this will offer jobs. It puts property back onto the tax rolls by allowing it to be redeveloped, and I do not know a single city or rural area that could not use a little brownfield encouragement through their funds.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to point out that this is the second year in a row that we have had this discussion, and it is predicated on the idea that somewhere there is a sense that the EPA has a program for brownfields that does the same thing that this HUD program for brownfields does.

Now, to the very best of my knowledge, and very recently rechecked, the EPA does assessments of hazardous materials on old industrial sites but does nothing to redevelop those sites so that this program is, to the best of my knowledge, the only place that we have done redevelopment of otherwise old hazardous material sites, industrial sites that can be put back into use.

Now, last year, even though it had been zeroed out, we ended up with a final budget of $9.9 million by amendment adopted on the floor. The offset here is an unpalatable offset. But, again, my belief is that the Brownfields Program is at least as important as the IRS Business Systems Program. If this amendment is defeated, I will assure the gentlewoman from Texas that I will do my best to see that something better comes out of the final process and the conference process on this legislation.

In the meantime, I will join her in support of the legislation.

Ms. WATERS. Mr. Chairman, I rise to support the Miller Brownfields amendment. The Amendment provides $15 million in funding for the Brownfields program.

Again, let me thank the Chairman of the Subcommittee, JOE KNOLLENBERG and the Ranking Member, JOHN W. OLVER, for their work on this bill. HUD programs, however, have witnessed major cuts over the past several years. What I find interesting about this bill is that it does not provide any funding for the Brownfields Economic Development Initiatives (BEDI) program, but instead includes Brownfields redevelopment as an eligible activity under the Community Development Block Grant (CDBG) program. Of course, this does not take into account the existence of numerous Brownfields sites across the country. These sites are often located in strategically important areas of a city or county, where economic development projects have been planned. Without funding for the Brownfields program many of these projects will not be undertaken.

The estimate of the number of vacant and underused sites around the U.S. is more than 500,000. If we could put these sites into productive economic development uses we stand to increase jobs by 500,000 million, while generating $2.4 billion in new tax revenues. The Brownfields program that I would like to see funded is truly an economic development tool that has been very effective in assisting communities to reclaim important parcels of underused land. To the extent that we eliminate funding for the BEDI program we will seriously undermine economic development efforts across-the-board. In the City of Los Angeles and in Los Angeles County, the BEDI program supports a wide variety of projects, including developments with a strong business attraction, expansion and/or retentions component, as well employment creation.

One example is the use of a $1.75 million BEDI grant that was used to convert a contaminated 130 acre oil production and storage site facility into a warehouse and distribution center, which produced 679 jobs—the City of Sante Fe Springs Golden Springs Development Park.

As many of you know, the House last year unanimously approved an amendment to provide $24 million for Brownfields, and the conference report provided $10 million. In addition, the House recently passed H.R. 280, the Brownfields Redevelopment Enhancement Act to provide greater access to the BEDI program.

Whether you agree with the $15 million funding level is not important. What is really critical is that the program be in place to continue to assist communities to clean-up the mess made by industry, as well as the inadequate federal response. Many communities are at a critical stage in revitalizing themselves. A major tool at their disposal has been the BEDI program. As such, I urge your support for the Miller amendment.

Mr. PASCRELL. Mr. Chairman, I rise in strong support of the Miller-Johnson amendment to restore funding for the HUD Brownfields program.

I want to congratulate the gentleman from California for his amendment. As a former mayor, I believe that this amendment will have a very positive impact on our Nation's cities.

Since the inception of its Brownfield programs, the federal government has allocated over $800 million in brownfield assessment and cleanup funds.

In addition, this investment has leveraged over $8 billion in cleanup and redevelopment dollars, a better than 10-to-1 return on investment. It has resulted in the assessment of more than 8,000 properties and helped create over 37,000 jobs.

This is because EPA and HUD grants work in conjunction with funding from state, local and private sources to address cleanup of brownfield sites.

Brownfields sites include inactive factories, gas stations, salvage yards, and abandoned warehouses.

These sites drive down property values, provide little or no tax revenue, and contribute to community blight.

HUD's brownfields program serves as a catalyst to spur private sector investment, job creation and economic development in communities.

HUD's program supports sustainable economic development that leverages investments from other public and private sources.

In comments from last year's floor debate, an opponent of the HUD Brownfields program stated that "HUD funds on average are just about 2.3 percent of the total development cost of each project. Moreover, for each HUD dollar, there are $28 in private and $12 in State and local funds committed to the project."

These statistics were cited as a reason to eliminate the HUD Brownfields program, but instead they demonstrate its unique value.

An initial influx of capital is often the greatest barrier to remediation of brownfields sites, and HUD's program provides that essential start up money.

The HUD program has been remarkably effective at leveraging private and local financial resources to achieve new successes on old properties.

This is an exciting time in the brownfields marketplace. Federal brownfields programs have provided the foundation on which state initiatives have flourished.

New Jersey has taken the lead creating a Federal Brownfields Inter-Agency Working Group comprised of 14 federal and state agencies.

This unprecedented coordination of agencies, community partners and private investors has enabled New Jersey to solve environmental problems while providing businesses a place to locate, create jobs, build housing and entertainment venues—all without having to go into farmlands and areas with open space.

This new business activity, housing or other types of redevelopment can restore the proud heritage of successful enterprise to our historic cities and other locales.

Throughout New Jersey and the country, there are thousands of abandoned structures that were once thriving businesses, often part of large industrial centers.

Economic development matched with environmental cleanup has resulted in the rebirth of many industrial and commercial properties and surrounding neighborhoods.

Anyone who cares about our nation's cities celebrates these successes, and welcomes the flexibility of the program. HUD's particular expertise in incorporating brownfields remediation into a larger strategy for economic development and community revitalization is essential to the success we have had and will continue to have in the future.

I urge my colleagues to support this very worthwhile amendment to restore funding for the HUD Brownfields program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GARY G. MILLER of California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMMONS) having assumed the chair, Mr. DREIER, Chairman of the Committee of

the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5576 in the Committee of the Whole pursuant to House Resolution 865, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

an amendment by Ms. HARRIS or Mr. DAVIS of Alabama regarding funding for Public Housing Capital Fund, which shall be debatable for 20 minutes;

an amendment by Mr. FRANK of Massachusetts regarding funding limitation on tenant-based section 8 vouchers, which shall be debatable for 20 minutes;

an amendment by Mr. YOUNG of Alaska regarding funding for certain highway projects in Illinois;

an amendment by Mr. YOUNG of Alaska regarding funding for certain highway projects in Illinois;

an amendment by Mr. YOUNG of Alaska regarding funding for certain highway projects in Illinois;

an amendment by Mr. KUCINICH regarding certain IRS enforcement activities;

an amendment by Mr. AL GREEN of Texas regarding funding for the HUD–FHIP program;

an amendment by Mr. GARY G. MILLER of California regarding funding for the HUD Community Development Fund;

an amendment by Mr. THOMAS regarding section 209 of this bill;

an amendment by Mr. NADLER regarding the funding level for tenant-based section 8 vouchers;

an amendment by Mr. INSLEE regarding funding level for the Public Housing Capital Fund;

an amendment by Mr. NADLER regarding the funding level for the HOPWA program;

an amendment by Ms. JACKSON-LEE of Texas to change the funding availability for the HOME downpayment assistance program;

an amendment by Mr. JINDAL to make eligible certain individuals for HUD project-based rental assistance;

an amendment by Ms. HARRIS regarding funding levels for the HUD Elderly and Disabled program;

an amendment by Ms. JACKSON-LEE of Texas regarding eligibility for HUD elderly housing;

an amendment by Ms. SLAUGHTER regarding the funding level for HUD lead-based paint activities;

an amendment by Ms. MILLENDER-MCDONALD regarding Election Assistance College Poll Work Program;

an amendment by Mr. FRANK of Massachusetts regarding section 325 of this bill;

an amendment by Ms. WATERS regarding funding for HUD section 108 loan guarantee program;

an amendment by Mr. SHAYS regarding the Privacy and Civil Liberties Board;

an amendment by Mr. SHAYS regarding the Privacy and Civil Liberties Board;

an amendment by Ms. HOOLEY regarding funding for HIDTA program;

an amendment by Mrs. MALONEY regarding the Privacy and Civil Liberties Board;

an amendment by Mr. WYNN regarding funding level for OPM administrative expense;

an amendment by Mr. BAIRD regarding funding limitation on transportation projects that fail to comply with section 1928 of SAFETEA–LU;

an amendment by Mr. BISHOP of New York regarding the 10th anniversary of TWA Flight 800;

an amendment by Mr. CLEAVER regarding item No. 87 of section 1702 of SAFETEA–LU;

an amendment by Mr. CUELLAR regarding limitation on obligations;

an amendment by Ms. DELAURO regarding funding limitation on corporate expatriation;

an amendment by Mr. DOOLITTLE regarding funding limitation on FEC certifications;

an amendment by Mr. ENGEL regarding funding limitation on purchase of alternative fuel vehicles;

an amendment by Mr. FLAKE regarding funding limitation on Monterey Bay Sanctuary Scenic Trail in California;

an amendment by Mr. FLAKE regarding funding limitation on Fairfax County Virginia Park Authority field improvements in Annandale, Virginia;

an amendment by Mr. FLAKE regarding funding limitation on Strand Theater Arts Center in Plattsburg, New York;

an amendment by Mr. FLAKE regarding funding limitation on William Faulkner Museum in Oxford, Mississippi;

an amendment by Mr. FLAKE regarding funding limitation on multipurpose facility in Yucaupa, California;

an amendment by Mr. FLAKE regarding funding limitation on renovations to a city-owned pool in Banning, California;

an amendment by Mr. FLAKE regarding funding limitation on Agricenter Interchange in Tulare, California;

an amendment by Mr. FLAKE regarding funding limitation on Fairmont Gateway Connector System in West Virginia;

an amendment by Mr. FLAKE regarding funding limitation on road improvements in Monroe County, New York;

an amendment by Mr. FLAKE regarding funding limitation on the Bakersfield Beltway system in California;

an amendment by Mr. FLAKE regarding funding limitation on construction on the Spirit of South Carolina in Charleston;

an amendment by Mr. FLAKE regarding funding limitation on facilities construction in Weirton, West Virginia;

an amendment by Mr. FLAKE regarding funding limitation on construction of an Audubon Nature Center in Columbus, Ohio;

an amendment by Mr. FLAKE regarding funding limitation on religious activities in Cuba;

an amendment by Mr. GARRETT of New Jersey regarding travel to overseas conferences;

an amendment by Mr. GARRETT of New Jersey regarding a study on State transportation funding;

an amendment by Mr. GORDON regarding funding limitation on energy efficiency;

an amendment by Mr. HASTINGS of Florida regarding TRACON consolidation in high-threat urban areas;

an amendment by Mr. HEFLEY regarding reduction of funds;

an amendment by Ms. JACKSON-LEE of Texas regarding denial of noise mitigation grants;

an amendment by Ms. JACKSON-LEE of Texas regarding regulations on noise mitigation;

an amendment by Mr. KENNEDY of Minnesota regarding funding limitation on FTA ratings system on the Northstar Corridor Rail project;

an amendment by Mr. KING of Iowa regarding funding limitation on naming of certain public works projects or programs;

an amendment by Mr. KING of Iowa regarding funding limitation on contracting practices based on racial preferences;

an amendment by Mr. KING of Iowa regarding funding limitation on construction of a center in Los Angeles;

an amendment by Mr. KIRK regarding funding limitation on certain bridge construction in Alaska;

an amendment by Ms. LEE regarding funding limitation on restrictions on education travel to Cuba;

an amendment by Mr. LIPINSKI regarding funding for rail line relocation program;

an amendment by Mr. MCHENRY regarding funding limitation on an interchange located at exit 131 in Catawba County, North Carolina;

an amendment by Mr. MORAN of Kansas regarding funding limitation on restrictions on agricultural trade with Cuba;

an amendment by Mr. OBERSTAR regarding funding limitation on implementation of a final rule on certain air carriers;

an amendment by Mr. RANGEL regarding funding limitation on enforcement of economic embargo of Cuba;

an amendment by Mr. TIAHRT regarding competitiveness of U.S. businesses;

an amendment by Mr. TIAHRT regarding IRS services; and

an amendment or amendments by Mr. KNOLLENBERG regarding funding in the bill.

Each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Transportation, Treasury, and Housing and Urban Development, Judiciary, District of Columbia, and independent agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I simply under the reservation would like to point out to the House that if this is strictly adhered to, there are 67 amendments that are provided for under this UC request. It will take approximately 11 hours just for the debate time, not allowing for slippage, not allowing for other Members yielding or the natural sliding that we have in the House. That means that it will take at least 13 to 14 hours to finish these amendments plus the time that is needed for voting.

Assuming that only one-third of these amendments are put to a record vote, we could have a total of around 16 to 17 hours before this bill is finished. That will certainly take us through tonight, all of tomorrow, and well into Friday and perhaps beyond. So I would ask Members to again think through whether or not they feel the need to offer every one of these amendments. If they are, we will be here for a long, long time with other competing business being squeezed to the end of the week.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 865 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5576.

□ 1845

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from California (Mr. GARY G. MILLER) had been postponed and the bill had been read through page 74, line 5.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-McDONALD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MILLENDER-McDONALD:

Page 73, line 8, insert after the first dollar amount the following: ''(reduced by $250,000)''.

Page 190, line 10, insert after the first dollar amount the following: ''(increased by $250,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise today to offer this amendment to the Transportation-Treasury Appropriations bill for fiscal year 2007, to provide more funding for the training of college students to be poll workers.

As ranking member on the Committee on House Administration, I am pleased that the Appropriations Committee fully funded the budget request for the Election Assistance Commission, commonly referred to as EAC.

I am also pleased that the committee report suggests that $250,000 of the EAC's funding be allocated to the College Worker's Poll Grant Program, authorized by the Help America Vote Act, HAVA.

However, Mr. Chairman, I do believe that this funding is not sufficient to meet the critical challenges facing the administration of elections in this country.

I am offering this amendment to increase the funding.

Mr. KNOLLENBERG. Mr. Chairman, will the gentlewoman yield?

Ms. MILLENDER-McDONALD. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I would be happy to accept your amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-McDONALD).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210), $14,846,000.

ADMINISTRATRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading ''Enforcement'' may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 202. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in cross-cultural relations.

SEC. 203. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 204. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

SEC. 205. Of the funds made available by this Act to the Internal Revenue Service, not less than $166,249,000 shall be available for operating expenses of the Taxpayer Advocate Service, of which not less than $166,101,000 shall be made available from the ''Taxpayer Services'' account and $148,000 shall be made available from the ''Operations Support'' account.

SEC. 206. None of the funds appropriated or otherwise made available by this or any other Act or source in this or any future fiscal year may be used to develop or provide taxpayers with free individual income tax

electronic preparation and filing products or services other than through the Free File program and the Internal Revenue Service's Taxpayer Assistance Centers, Tax Counseling for the Elderly, and volunteer income tax assistance programs: *Provided*, That no such funds may be used to develop or implement direct interactive online electronic individual income tax preparation or filing services or products, or a return-free system as described in section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998.

POINT OF ORDER

Mr. THOMAS. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. THOMAS. Mr. Chairman, I raise a point of order against section 206 of this bill, H.R. 5576, on the grounds that this provision violates clause 2(b) of House rule XXI, because it is legislation included in a general appropriations bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this section addresses funds in other Acts. As such, the section constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 207. Appropriations for the Internal Revenue Service for the taxpayer service and tax law enforcement programs for fiscal year 2007 and thereafter shall be made up of three accounts, ''Taxpayer Services'', ''Enforcement'', and ''Operations Support'' for fulfilling the taxpayer service and enforcement programs.

SEC. 208. Amounts made available for fiscal year 2007 under the ''Taxpayer Services'', ''Enforcement'', and ''Operations Support'' accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Internal Revenue Service accounts after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: *Provided*, That the limitation on transfers is 20 percent in fiscal year 2007.

SEC. 209. None of the funds made available in this Act may be used to enter into, renew, extend, administer, implement, enforce, or provide oversight of any qualified tax collection contract (as defined in section 6306 of the Internal Revenue Code of 1986).

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 211. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 212. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 213. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 214. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 215. The Secretary of the Treasury may transfer funds from Financial Management Services, Salaries and Expenses to Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 216. Section 122(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking ''8 years'' and inserting ''9 years''.

SEC. 217. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 218. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

SEC. 219. Section 3333(a) of title 31, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) The amount of the relief, and the amount of any relief granted to an official or agent of the Department of the Treasury under section 3527 of this title, shall be charged to the Check Forgery Insurance Fund under section 3343 of this title. A recovery or repayment of a loss for which replacement is made out of the fund shall be credited to the fund and is available for the purposes for which the fund was established.''

This title may be cited as the ''Department of the Treasury Appropriations Act, 2007''.

TITLE III

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $15,776,400,000, to remain available until expended, of which $11,576,400,000 shall be available on October 1, 2006, and $4,200,000,000 shall be available on October 1, 2007: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $14,436,200,000 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act): *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary for the calendar year 2007 funding cycle shall provide renewal funding for each public housing agency based on the amount public housing agencies were eligible to receive in calendar year 2006, and by applying the 2007 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with deposits to Family Self-Sufficiency Program escrow accounts or the first-time renewal of tenant protection or HOPE VI vouchers: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous proviso: *Provided further*, That up to $100,000,000 shall be available for additional rental subsidy due to unforeseen exigencies as determined by the Secretary and for the one-time funding of housing assistance payments resulting from the portability provisions of the housing choice voucher program;

(2) $149,300,000 for section 8 rental assistance for relocation and replacement of housing units under lease that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance: *Provided*, That additional section 8 tenant protection rental assistance costs may be funded in 2007 by utilizing unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'', the heading ''Housing Certificate Fund'', and the heading ''Project-based rental assistance'', for fiscal year 2006 and prior years notwithstanding the purposes for which such amounts were appropriated;

(3) $47,500,000 for family self-sufficiency coordinators under section 23 of the Act;

(4) $5,900,000 shall be transferred to the Working Capital Fund; and

(5) $1,137,500,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to $20,000,000 to be for fees associated with section 8 tenant protection rental assistance: *Provided*, That $1,107,500,000 of the amount provided in this paragraph shall be allocated for the calendar year 2007 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in calendar year 2006: *Provided further*, That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities.

AMENDMENT OFFERED BY MR. NADLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER:

Page 80, line 24, after the dollar amount, insert the following: ''(increased by $70,000,000)''.

Page 80, line 25, after the dollar amount, insert the following: ''(increased by $70,000,000)''.

Page 81, line 3, after the dollar amount, insert the following: ''(increased by $70,000,000)''.

Page 113, line 16, after the dollar amount, insert the following: ''(reduced by $100,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, this amendment would increase funding for Section 8 housing vouchers by $70 million to enable an additional 10,000 low-income families to afford safe, decent housing.

To offset this increase, the amendment cuts the Working Capital Fund for a poorly managed computer upgrade program. Even with the reduction, the bill would still provide $94 million in working capital funds for IT projects in eight accounts scattered around the bill other than the Working Capital Fund itself.

We have a choice, Mr. Chairman. Do we want to help thousands of families obtain affordable housing, or do we think it is more important to have a somewhat faster computer upgrade in HUD? If we support American families, we should support this amendment.

We all understand the budget is extremely tight and that many programs are facing cuts. Our amendment, therefore, does not seek to restore the amount to the amount that the President recommended, which is $144 million more than the committee recommends, it seeks merely to restore $70 million, or about half of what the difference is to what the President recommended.

This is less than the bare minimum of what is needed. We have hundreds of thousands of families on waiting lists, waiting 8, 9, 10 years for decent housing for Section 8 vouchers.

This amendment will enable us to provide vouchers to about 10,000 of those families. That is our choice. The Section 8 housing voucher program provides safe, affordable housing to approximately 2 million American families in urban and rural communities in our country.

Those vouchers are often the only resource for low-income families confronted by our Nation's affordable housing crisis.

Mr. Chairman, many Republicans support this amendment. We passed a similar amendment last year with Republican support. 141 Members have signed a letter in support of fully funding the President's request, which would be twice the size of this amendment. 225 Members, including 30 Republicans, voted for an essentially similar amendment last year.

I urge everyone on both sides of the aisle to vote for this amendment.

Finally, let me say that we may be told that the offset would leave no funds in the computer account. The fact is the committee has been very ingenious in squirreling away money in different accounts.

Mr. Chairman, I have here a list of all of the places in the bill where money is squirreled away for these computers. There is a total of $194 million. With this amendment it would still leave $94 million for this purpose.

Mr. Chairman, I thank the chairman. I urge everyone to vote for this amendment.

Mr. Chairman, I would offer this chart for the RECORD. I am pleased to announce also that the amendment has gained the support of the AARP and the National League of Cities. Once again, the choice is, will we provide 10,000 families with safe, decent housing, at the price of slightly slowing down a computerization program for the bureaucrats at HUD?

That is the choice. I hope everyone will vote yes on the Nadler-Velazquez Amendment.

Programs descriptions	Additional descriptions	Amount	Page/Line
Public Indian Housing	Tenant Based Rental Assistance	$5,900,000	pg. 83 ln. 14.
Public Housing Capital Fund		14,850,000	pg. 86 ln. 1.
Community House and Development	Housing Opportunities for People with AIDS	1,485,000	pg. 92. ln. 4.
Home Investment Partnerships Program		3,465,000	pg. 94 ln. 22.
Homeless Assistant Grants		2,475,000	pg. 97 ln. 20.
Housing Programs Project Based Rental Assistance		3,960,000	pg. 99 ln. 24.
Housing for the Elderly		1,980,000	pg. 101 ln. 7.
Housing for Persons with Disabilities		990,000	pg. 102 ln. 5.
Federal Housing Administration	Mutual Mortgage Insurance Program Account	23,562,000	pg. 105 ln. 6.
General and Special Risk Program Account		10,692,000	pg. 106 ln. 22.
Management and Administration	Salaries and Expenses	15,000,000	pg. 112 ln. 25.
Working Capital Fund		100,000,000	pg. 113 ln. 16.
Section 325	Administrative Contract Expenses	10,000,000	pg. 133. ln. 21.
		$194,359,000	

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

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, the bill before us fully funds the renewal of Section 8 vouchers. Additional funds, especially ones at the expense of critical programs, are simply not necessary. The cost of Section 8 vouchers are remaining constant and in some markets are actually decreasing.

As such, this funding level will not only maintain the current level of vouchers, but also provide funds to restore vouchers that may have been lost in recent years.

The proposed reduction to the Working Capital Fund leaves a funding level that is not sufficient to support HUD's existing needs and will cause delays in critically needed efforts to modernize antiquated legacy systems in such areas as HUD's core financial systems and FHA mortgage program systems.

More importantly, the funds of the Working Capital Fund are the funds that ensure that HUD is able to make Section 8 payments on time. Ironically, cutting this program to boost Section 8 will have a very real and negative impact on the Section 8 program.

So therefore, I must urge a no vote on this amendment.

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

Mr. NADLER. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman has 2 minutes remaining.

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

Mr. Chairman, the fact is we have waiting lists in many of our cities of 8, 9, and 10 years for Section 8 vouchers.

We could do much, much more than this amendment would do and shorten these waiting lists to 5 and 6 years.

Mr. Chairman, it is wrong for low-income Americans to have to wait 8, 9 and 10 years for decent, safe housing. This amendment will go a little ways toward supplying that need.

The chairman says that the committee's proposal funds all of the Section 8 vouchers. It funds enough Section 8 vouchers to continue a waiting list of 8, 9, and 10 years.

Now, it is true the offset takes some money away from a computerization account at HUD, but it leaves $94 million for that purpose. The computerization at HUD can go a little more slowly, and 10,000 additional families will have decent housing.

That is the choice. HUD can do, and do very well, with $94 million for this computerization program squirreled away in different sections of the bill as I have here outlined.

But 10,000 families might not have to wait 9, 10 years for decent housing. Mr. Chairman, that is the choice in the amendment. That is why I urge everyone to vote for the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

□ 1900

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HOUSING CERTIFICATE FUND

(RESCISSION)

Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual contributions for assisted housing'', the heading ''Tenant-based rental assistance'', and the heading ''Project-based rental assistance'', for fiscal year 2006 and prior years, $2,000,000,000 is rescinded, to be effected by the Secretary no later than September 30, 2007: *Provided*, That, if insufficient funds exist under these headings, the remaining balance may be derived from any other heading under this title: *Provided further*, That the Secretary shall notify the Committees on Appropriations 30 days in advance of the rescission of any funds derived from the headings specified above: *Provided further*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFERS OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g) (the ''Act'') $2,178,000,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2007, the Secretary may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That of the total amount provided under this heading, up to $10,890,000 shall be for carrying out activities under section 9(h) of such Act: *Provided further*, That up to $14,850,000 shall be transferred to the Working Capital Fund: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: *Provided further*, That of the total amount provided under this heading, up to $19,800,000 shall be available for the Secretary of Housing and Urban Development to make grants, notwithstanding section 305 of this Act, to public housing agencies for emergency capital needs resulting from unforeseen or unpreventable emergencies and natural disasters occurring in fiscal years 2007 and 2008: *Provided further*, That of the total amount provided under this heading, $23,760,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further*, That of the total amount provided under this heading up to $7,920,000 is to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading up to $15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC).

AMENDMENT OFFERED BY MR. DAVIS OF ALABAMA

Mr. DAVIS of Alabama. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DAVIS of Alabama:

Page 85, line 11, after the dollar amount, insert ''(increased by $30,000,000)''.

Page 111, line 3, after the first dollar amount, insert ''(reduced by $30,000,000)''.

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

The Chair recognizes the gentleman from Alabama.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, thank you for the recognition. I have an amendment at the desk which is a repetition of a bipartisan amendment that was brought to the floor of the House a year ago, and it has to deal with the HOPE VI housing program. Many of our colleagues on both sides of the aisle have seen their districts benefit from HOPE VI.

It is a program that was launched under the George Herbert Walker Bush administration. In fact, its chief architect was former Secretary of Housing and Urban Development Jack Kemp. It is a program which has been in place for 16 years now, and it has literally changed the face of public housing in numerous communities around our country.

I have seen it happen three times in Birmingham, Alabama and Tuscaloosa, Alabama. Abandoned, near dilapidated public housing projects, which had been given up, have now been turned into mixed-income developments. And whole communities of Birmingham and Tuscaloosa, which had been squandered, are now on the road toward economic revitalization and recovery.

That has been the story of Birmingham and Tuscaloosa. It has been a story that has spread all over this country.

When we brought this amendment to the floor last year, no less than 59 Republicans joined in support of it with 188 Democrats, one of the strongest levels of bipartisan support that any amendment has commanded. I simply ask the House to do essentially what it has done before.

The President attempted to zero out funding. The committee has not added funding. We propose to add $30 million from the Administration and Management Fund to the Working Capital Fund. The reason, Mr. Chairman, that it goes in the Working Capital Fund is we have a reauthorization issue around HOPE VI. As of September 30, the program will have lapsed. It is our full expectation that it will be extended.

There has been a unanimous voice vote in the Financial Services Committee to reauthorize it, and there has been strong support on the other side of the Capitol in the Senate to reauthorize it. What we simply want to do is make sure that when the program is reauthorized, that the money is being held so these projects can go forward. $30 million is a very conservative amount of money.

The average HOPE VI project is indeed around 20 or $30 million. But what this commitment of resources will do is to in effect preserve the HOPE VI program and effectuate the intent of the Financial Services Committee that HOPE VI be reauthorized.

Let me thank someone who is not in the Chamber at this point, my colleague from Florida, Congresswoman KATHERINE HARRIS. She worked very hard to bring this amendment to the floor last year. She has worked very hard to give us support for it tonight. I certainly thank her for her bipartisan commitment.

But it is a very simple statement, Mr. Chairman. If we value a future for public housing, if we want to transform the lives of these communities, this is a small nominal amount in a massive Federal budget of $3.7 trillion. It is literally a drop in the bucket, but it is a very meaningful drop in the bucket for many families who are living in urban centers all around this country.

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

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN (Mr. GOODLATTE). The gentleman from Michigan is recognized for 10 minutes.

Mr. KNOLLENBERG. HOPE VI was intended to demolish 100,000 units of severely distressed public housing units, and the program has accomplished that goal. However, there is currently $80 million in unobligated funds going back as far as 10 years-plus. And get this, an additional $2 billion remains in unexpended balances. That is money.

These unobligated and unexpened balances mean the program will be spending out for years to come. As of the end of fiscal year 2005, only 23 percent of all projects have been completed. We need to focus on completing what has already been approved, not adding to the already large backlog of unfinished work. Therefore, I urge a ''no'' vote on this amendment.

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

Mr. DAVIS of Alabama. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, I just want to rise in support of the amendment. A number of us have worked hard for a number of different years to save, reauthorize, and fund the HOPE VI program.

The gentleman is right: they have funds in the process, but you can't revitalize communities overnight. They seem to have lost sight of the fact that it takes a long time to rebuild a community that starts off being dilapidated public housing. You have to tear it down, you have to enter into public-private ventures around that community to restore housing, and that takes time.

When people criticize the fact that there is money in the pipeline that has not been expended, that simply reaffirms the purpose for which HOPE VI was initiated in the first place, to restore communities, not to just build houses. That takes time. We need this money to continue the process.

Mr. DAVIS of Alabama. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida (Ms. HARRIS) and thank her for her outstanding work on this issue.

Ms. HARRIS. Mr. Chairman, I rise today to offer an amendment with my friend and colleague from Alabama (Mr. DAVIS). This would restore the funding for the Department of Housing and Urban Development's HOPE VI programs.

Created in 1992 to renovate existing public housing sites and replace them with new mixed-income housing, the HOPE VI grant program has been remarkably successful at revitalizing some of our most troubled and distressed communities. We have all seen stories of the conditions that exist in public housing developments throughout the Nation, dilapidated buildings and homes, infestations of insects and rodents, barely functional plumbing and sewage, high rates of violence and crime. These are the conditions that have overtaken too many of our public housing facilities, the conditions in which too many families are struggling to live and raise children.

This program is aptly named because hope is exactly what these grants bring to communities. I can speak firsthand of the outstanding results of this program. In the City of Bradenton, Florida, we have already been completely revitalized as a result of HOPE VI grants.

The result is Bradenton Village, a successful partnership between the local government, the private sector, and the Federal Government to restore and revitalize a community that only a few years ago was crumbling and suffering. Today, Bradenton Village is a vibrant and thriving area and a testament to HOPE VI grants. That success is not limited to Florida.

This remarkable program has been responsible for rebuilding substandard housing and replacing it with quality, affordable housing across the country. It is not just about bricks and mortar. By creating more options, giving a consumer more and better choices in housing, education, job training and job placement, HOPE VI grants transform lives.

If this amendment is adopted, the HOPE VI program can continue to deliver upon its promises. The Davis-Harris amendment seeks to restore $30 million to the HOPE VI program so that they can continue in their mission of revitalizing American communities. This $30 million is a far cry from the funding HOPE VI has received in the past; it is less than a third of the $99 million that the program received last year, for example, but it is enough to keep the program alive so that we can continue to help these communities where it is making such a tremendous difference.

The amendment is fiscally responsible, as the $30 million we are requesting for HOPE VI will be offset by reducing funding HUD's Management and Administrative Salaries and Expense Funds. Additionally, according to the Congressional Budget Office, the amendment budget authority is neutral and as a result, a net outlay savings of $22 million.

I know some of my colleagues have been concerned about the administration of the HOPE VI program. There have been complaints that the funds are not dispersed as swiftly or as efficiently as they could be. I share some of those concerns, and I want to see the program operate at maximum efficiency and effectiveness.

If the management of the program can be made more effective, by all means let us make it more effective. But let us not give up on the program just when it is making a difference in people's lives. Let us not give up on HOPE VI. Let us not give up on the strength and possibilities of our communities. I urge my colleagues to support the Davis-Harris amendment. Let us keep hope alive.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself the balance of my time.

Let me put several things in perspective. Mr. WATT made the obvious point that these projects take awhile to succeed. Therefore if we stop the funding flow, it will make it impossible for commitments to be made that have been kept.

Observation number two, we need this appropriation of funds to effectuate the intent of Congress. The committee that has jurisdiction over HOPE VI, the Financial Services Committee, has voted unanimously on a voice vote to reauthorize HOPE VI.

The Senate has expressed or manifested the same plan to reauthorize HOPE VI. If we don't put funding forward, the clear-cut congressional intent will be undercut in this instance.

Third of all, there is a strong, clear congressional intent from the last several budget cycles. Four times in a row now, the administration has tried to zero out HOPE VI. Every single time Congress has put it back.

The Senate had put $100 million back last year. The House, in a strong bipartisan vote, put $60 million back. We anticipate the Senate will put another significant amount back into this budget.

The next point, talk to the people who have seen this work on the ground. The League of Cities, a bipartisan collection of mayors and leaders of municipalities, has endorsed this amendment. They are an eloquent testament to the fact that HOPE VI revitalizes neighborhoods.

The National Home Builders, a strong bipartisan group, has given its endorsement to this amendment. They have a statement it meets important private sector and public sector goals.

We don't have to look very far other than the quotes of some of our own colleagues. CHARLIE DENT from Pennsylvania, a Republican the last time I checked, this ''project will be a catalyst for the revitalization of the entire community and it will serve as a model of what public housing can and should be, a path to homeownership for its residents.''

FRED UPTON, a Republican from Saint Joseph, Michigan: ''This is tremendous news for the Benton Harbor community. It is another example of folks from the local State and Federal levels coming together for the betterment of Benton Harbor.''

ANNE NORTHUP, our colleague from Louisville, a Republican: ''A HOPE VI grant, great news for Louisville, a major investment in the downtown neighborhood.''

My good friend and our colleague, CHIP PICKERING from Mississippi, a Republican the last time I checked: ''The full range of this project will not only improve the lives of the residents in

my district, but also their children for years to come. The HOPE VI grant represents a significant investment to the overall economic development and renewal of the East Mississippi region.''

Our colleague from Connecticut (Mr. SHAYS), a Republican the last time I checked, talks about the wonderful collaboration of the Stamford Housing Authority, the Fairfield Resident Council and the City of Stamford to make this project a reality.

There is an overwhelming statement from our colleagues on both sides of the aisle about the utility of HOPE VI. So for this body to fail to pass this Davis-Harris amendment will not only be in contradiction of what we say in our press releases, it would be in contradiction of what the U.S. Senate seeks to do and would be in contradiction of what we do with our own votes.

While the administration fails to get the message, I think that our colleagues in this body tonight will get the message. I urge passage of this bipartisan amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama (Mr. DAVIS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. DAVIS of Alabama. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

AMENDMENT OFFERED BY MR. INSLEE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

Page 85, line 11, after the dollar amount, insert the following: ''(increased by $261,000,000)''.

Page 194, line 1, after ''2007'', insert the following: ''(reduced by $261,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, this would restore $260 million to the Public Housing Capital Fund. As Members know, this is a critical fund that delivers housing services to make sure that our public housing is up to snuff and our citizens can live in safe housing.

This is a fund that makes sure that the roofs don't leak on our citizens, air ventilation doesn't cause asthma, and we don't allow termites to infest our public housing facilities. Despite the criticality of that fund, the current bill as proposed would cut $260 million, an 11 percent slash out of this budget of this very important fund.

Mr. Chairman, we will simply restore that cut to go back to the status quo of the level of funding for the Public Housing Capital Fund.

□ 1915

The reason we suggest this is that our offset for this would be a small cut to the Federal building budget. It would essentially result in about a 3.5 percent cut to the Federal building budget, and what we suggest by this amendment is that in difficult times, if we are going to have to have cuts in these Federal budgets, it should first come out of where we house our Federal agencies and, second, come out of where we house our citizens.

Our citizens ought to have first claim to the money. The kids that we are trying to avoid an epidemic of asthma, some of which we believe is caused by poor housing, they ought not to be suffering right now if we have to slash some budget. If we have to delay some bureaucracy, getting an upgrade in an agency, that is really a delay that kids in public housing cannot take a slash in the health of these budgets.

I just want to point out the one thing that this public housing fund does that is so effective.

One of the problems of our folks in public housing are their energy costs. A lot of these people pay 50 percent and more of their income in housing costs, and their energy costs eats them alive. I looked at St. Paul. Over 26 percent of all the evictions there were essentially caused because of high utility costs, and one of the things this public housing fund can do is help get better weatherization, more efficient heating/cooling systems to reduce energy costs. In fact, if we reduce our energy costs by 10 percent, we will save $20 billion of these folks in public housing.

So our amendment does some things that are very common sense. It will go back to status quo. It will restore a $260 million slashed cut to public housing. It will offset that by a 3.5 percent cut to the Federal budget. Let us give first priority to our citizens and their housing and second priority to a small cut to housing some of our Federal agencies. It is the right thing to do. It is common sense.

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

Mr. SWEENEY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

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

Mr. Chairman, I oppose this amendment and would point out that this is not an amendment that simply cuts money out of the bureaucracy. It is not a bureaucratic cut.

The cuts proposed by the amendment are irresponsible in today's atmosphere where immigration and terrorism threats to the government and U.S. citizens are real.

Cutting the Federal buildings fund by $261 million would leave the fund without the resources it needs to build critical, secure crossings on our southern border with Mexico and strengthen the Federal buildings against the threat of terrorism.

Let me repeat that. Vote for this amendment and you are voting against building border crossings on the U.S.-Mexico border and against funding to secure Federal buildings against terrorism.

The amendment would completely eliminate GSA's new construction of six border stations at the crossings in McAllen, Texas; El Paso, Texas; San Luis, New Mexico; Columbus, New Mexico; Calexico, California; and Nogales, Arizona. In addition, the amendment would eliminate the Food and Drug Administration's Montgomery County, Maryland project, as well as the remote delivery facility in Anacostia for mail sorting for the Federal Government, something that is sadly needed with the threat of anthrax and other deadly substances in our government now.

Funds would be cut that are needed to secure Federal buildings to protect workers and the general public from possible terrorist attacks.

As much as higher funding for the capital fund would be nice, there are more pressing needs in this bill.

This amendment is irresponsible, and I would urge its defeat, Mr. Chairman.

Mr. Chairman, I reserve my time.

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

Well, while I respect my friend's argument, it is quite artful, but not every dollar spent by the Federal Government goes to terrorism, as the suggestion would be.

Let us be real here in this discussion. We will leave $7.44 billion in the Federal building fund, and in that fund the vast majority of those dollars are spent for housing Federal office workers, not Border Patrol, and to suggest that somehow that if this cut takes place we are going to be bombarded by immigrants is a great stretch, artful perhaps, but a tremendous stretch.

What we are really talking about, we are talking about delaying perhaps for a year expanded Federal bureaucracies and the square footage they have in their Federal offices and office buildings scattered all across America. We are talking about suggesting that that delay in expanding the square footage for Federal office workers, as hard as they work and I respect them a bunch, is something that we ought to figure is a common-sense thing to do, instead of cutting $260 million when people are living in substandard housing that has an $18 billion backlog.

So, let us look at the real life and not get wrapped around the argument that anything that changes a Republican budget somehow smacks of being soft

on terrorism. That is a great stretch, and I do not think that dog will hunt.

We are talking about a small reduction of 3.5 percent in a $7.7 billion budget for office budgets. Let me just give you an example of what we are talking about.

There is $4.3 billion for rental space, $277 million in current funding in this budget. Maybe a little bit of that could be deferred. There is $2 billion for building operations, $119 million, 6 percent more than cut funding. That is common sense.

Let us give first priority to our housing.

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

Mr. Chairman, I would point out to my good friend that I probably, more than any other Member in this body, have great understanding of what public housing funds are for. I grew up in public housing. Nevertheless, this bill is about balancing the priorities that we need in this age of terrorism and threat of terrorism. In this age of immigration reform, I think that these funds need to fully be kept in as they have been appropriated by the committee.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from New York.

I am pleased that the gentleman from the State of Washington is concerned about the expanding Federal bureaucracy, and I look forward to working with him to make sure that our Federal Government does not grow at fast of a pace because when it does it makes us less competitive, but the issue here is whether we should divert money to the issue that the gentleman would like to have it diverted to.

$260 million is a lot of money. There has been a lot of preparation in the allocation of the money that has come to the subcommittee and to the full Committee of Appropriations. Difficult decisions were made, but more importantly, this money that would be taken from the GSA is to address a very important, vital need in our society today, and that is the immigration challenge that we are facing today.

Many of you have received bricks in your office from constituents. Those bricks represent the necessity of building a stronger border along the southern part of this country. This money that is being diverted in this amendment would take money from six border stations: McAllen, Texas; El Paso, Texas; San Luis, New Mexico; Columbus, New Mexico; Calexico, California; and Nogales, Arizona. People are coming across because we have not established our own borders in this country. We have not established our southern border. These six border stations will help do this establishment of our borders.

Now, there is always something that people feel like is a higher priority, but today, if you stop the first 12 people on Main Street, America, and ask them do what you want with this $260 million going to this Federal housing project or do you want it to go to the border to stop the illegal flow of immigrants coming in, I guarantee you that all of them will say to you, let us stop the flow of illegal immigrants into the country. First, let us take care of the ones that are here, find a system that incorporates them into our work needs and into our culture, and then let us move on to something else. Let us move on to the needs that we have in meeting the challenges of those who are lower income groups.

This amendment would take away from that goal of fixing our borders, and I would suggest that we vote it down.

Mr. SWEENEY. Mr. Chairman, I yield myself the remaining time.

In conclusion, let me just say I strongly oppose this amendment because of its impact on some vital security needs. I would point out to the gentleman and my friends, of the $261 million he diverts over into public housing, 20 percent of it could be used for administrative costs in the current form of the structure that it is used.

This money is needed and has been prioritized as such, and I would urge my colleagues to vote ''no.''

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The amendment was rejected.

Mr. INSLEE. Mr. Chairman, I request a recorded vote.

The Acting CHAIRMAN. The gentleman's request is untimely.

The Clerk will read.

The Clerk read as follows:

PUBLIC HOUSING OPERATING FUND

For 2007 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), $3,564,000,000: *Provided*, That all funds made available under this heading shall be allocated to public housing agencies in accordance with the terms, conditions, criteria and methodology set forth in the Housing and Urban Development Department Correction for Formula Implementation Date notice (Correction Notice) published in the Federal Register on October 24, 2005 and shall not be allocated using any other formula unless approved by the Committee: *Provided further*, That of the total amount provided under this heading $9,900,000 in bonus funds shall be provided to public housing agencies that assist program participants in moving away from dependency on housing assistance programs: *Provided further*, That of the total amount provided under this heading, $5,940,000 shall be for technical assistance related to the transition and implementation of asset-based management in public housing: *Provided further*, That, in fiscal year 2007 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $625,680,000, to remain available until expended: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $990,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; $3,465,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance: *Provided further*, That of the amount provided under this heading, $1,980,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $14,938,825: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to $148,500 from amounts in the third proviso, which shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $8,815,000, to remain available until expended, of which $299,211 shall be for training and technical activities.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $3,960,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $116,276,000, to remain available until committed.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $247,500 from amounts in the first paragraph which shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), $1,010,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $43,000,000, to remain available until committed.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $35,000 from amounts in the first paragraph which shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $300,100,000, to remain available until September 30, 2008, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2009: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further*, That the Secretary may use up to $1,485,000 of the funds under this heading for training, oversight, and technical assistance activities and $1,485,000 shall be transferred to the Working Capital Fund.

AMENDMENT OFFERED BY MR. NADLER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER:

Page 91, line 20, after the dollar amount, insert the following: ''(increased by $10,000,000)''.

Page 105, lines 5 and 6, after each of the dollar amounts, insert the following: ''(reduced by $10,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, this amendment would increase the appropriation for the Housing Opportunities for Persons With AIDS program, or HOPWA, by $10 million.

Frankly, this is a very modest amount. Earlier this year, more than 100 Members joined me and Representatives ROS-LEHTINEN and CROWLEY in asking the Appropriations Committee for $424 million in HOPWA funding for fiscal year 2007.

I am relieved that the President finally asked for a $14 million increase over last year in HOPWA funding, and I am very grateful to Chairman KNOLLENBERG and Ranking Member OLVER for meeting his request and funding the program at this level.

But the sad truth is that this year's HOPWA level barely keeps up with inflation. Three years ago in 2004, HOPWA was funded at $295 million. That the program will see an increase in 2004 to 2007 of $5 million in 3 years is not enough even to meet inflation.

Housing needs have grown faster than inflation. Adequately meeting the housing needs of all those living with HIV and AIDS would take over $2 billion. Nationwide, thousands of people are now on waiting lists for HOPWA-funded housing, and with 91 percent of HOPWA recipients having family incomes of less than $1,000 per month, program recipients simply cannot afford the shortfall.

The costs associated with new AIDS treatments often force people to choose between essential medications to enable them to survive and the necessities such as housing. Without adequate HOPWA funding, AIDS patients will continue to flood our emergency rooms and our Medicaid rolls and will be forced to live on the streets.

This HOPWA funding does not simply get people with HIV and AIDS off of the streets. Recent studies have shown that housing in many cases equates directly to HIV prevention because people with housing are much more likely to know their HIV status and, therefore, less likely to transmit the disease to others. Improvements in housing status also lead to lower rates of high-risk behavior, such as intravenous drug use, which can lead to the spread of the disease.

HOPWA is an extremely fiscally sound program. It is locally controlled and provides maximum flexibility to States and communities to design approaches that best respond to local housing needs. In fiscal year 2006 alone, HOPWA funds will support the delivery of services to roughly 71,500 households in all 50 States.

I realize that, given the record deficits that we have, funding HOPWA at the $2 billion level it should have is not realistic. The financial constraints that we face put us in an unfortunate bind. There is much room for improvement.

I, again, thank the chairman and ranking member for the increase that they proposed, but given the scarce resources of this bill, a $10 million increase beyond that, which means we will have an increase by $5 million in 3 years, is I think more than warranted, and that is what this amendment is.

□ 1930

I am grateful for HOPWA's increase this year, but I urge a further increase of $10 million, so it is a net increase of $5 million in 3 years.

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

Mr. SWEENEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I would ask the gentleman from New York if his intention is to withdraw the amendment, as we were led to believe.

Mr. NADLER. Mr. Chairman, I will withdraw the amendment if necessary.

Mr. SWEENEY. It is necessary.

Mr. NADLER. I regret to hear that, but I will withdraw the amendment.

Mr. SWEENEY. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,200,000,000, to remain available until September 30, 2009, unless otherwise specified: *Provided*, That of the amount provided, $3,872,580,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That $57,420,000 shall be for grants to federally-recognized Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 305 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, $250,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided*, That none of the funds provided under this paragraph may be used for program operations: *Provided further*, That, for fiscal years 2005, 2006, and 2007, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction: *Provided further*, That funds awarded to each grantee under this paragraph shall be matched by 40 percent in funding by each grantee.

Of the amount made available under this heading, $20,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: *Provided*, That amounts made available under this paragraph shall be provided in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided further*, That

funds awarded to each grantee under this paragraph shall be matched by 40 percent in funding by each grantee.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,891,890,000, to remain available until September 30, 2009: *Provided,* That of the total amount provided in this paragraph, up to $41,580,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968, and $9,000,000 shall be available for contracts to provide counseling of prospective HECM borrowers as required by subsection (f) of section 255 of the National Housing Act (12 U.S.C. 1715z–20): *Provided further*, That $3,465,000 shall be transferred to the Working Capital Fund: *Provided further*, That up to $9,900,000 shall be available for technical assistance.

In addition to amounts otherwise made available under this heading, $24,750,000, to remain available until September 30, 2009, for assistance to homebuyers as authorized under title I of the American Dream Downpayment Act.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 95, line 3 strike ''September 30, 2009'' and insert ''December 31, 2009''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman of the committee, the ranking member, Mr. OLVER, and the chairman of this committee for the hard work that has been done. This truly does go, very briefly, to the American Dream. Interestingly enough, it is a bipartisan dream. It is a commitment that we have made over the years, which is to ensure the opportunity for homeownership for all Americans. This is made possible by the authorizing legislation, the American Dream Downpayment Act, which was a combination of Members, both Republicans and Democrats.

This amendment does a very simple act, and it is an act that we could consume and has a de minimis impact, except for those who are still trying to seek the American Dream. It allows them to do so until December 31, 2009. This amendment extends the availability of funding on the American Dream Downpayment Act for an additional 3 months.

On December 16, 2003, the President signed the American Dream Downpayment Act, a program that provides grants to help home buyers with downpayment and closing costs. The Home Improvement Partnership Program is funded at $1.9 billion in FY 2007, an increase of $159 million, or 9 percent above FY 2006, and equal to the President's request.

Since its inception, the HOME program has assisted more than 300,000 families to become homeowners, 55 percent of whom are minorities. More than two dozen organizations are working to create more than $1 trillion in mortgage financing for minority home buyers.

As we look at the landscape of America, one natural disaster after another, we know that we are in a crisis on either homeownership or the rebuilding of homes. So, Mr. Chairman, I think it is important if we have a program that appears to be working that we give those extra added months in order to help Mr. and Mrs. Jones, Mr. and Mrs. Garcia, Mr. and Mrs. Smith, Mr. and Mrs. Johnson, just Mr. and Mrs. America who are eligible for this program.

I would say to you that because 55 percent are minorities, that means that 45 percent are all of America. This is a 100 percent program that responds to working Americans. The purpose of this program is to increase the homeownership rate, especially, as I indicated, among minority groups, but not limited to such. It gives the opportunity to hardworking Americans, single parents, single individuals, married individuals, and people who want to invest in their community.

It allows communities that have lower rates of homeownership when compared to the national average to be engaged in the home-buying business. It provides them with lower closing costs by approximately $700 per loan in order to stimulate homeownership for all Americans.

About 3 years ago, Mr. Chairman, I had a homeownership fair where 6,000 Houstonians showed up. Six thousand, looking for the opportunity. This amendment is a simple statement that we are committed to homeownership and allows for the homeownership to go forward until December 30, 2009.

Mr. Chairman, I rise to offer an amendment to H.R. 5576, which replaces "September 30, 2009" with "December 31, 2009" as the date where funds made available for the American Dream Down Payment Act are available.

This amendment extends the availability of the funding under the American Dream Down Payment Act for an additional three months.

On December 16, 2003, President George W. Bush signed the American Dream Downpayment Act, a program that provides grants to help home buyers with downpayments and closing costs. The HOME Investment Partnerships Program is funded at $1.92 billion in FY 2007, an amount increase of $159 million (9 percent) above FY 2006 and equal to the President's request.

Since its inception, the HOME Program has assisted more than 300,000 families to become homeowners, 55 percent of which are minorities. More than two dozen organizations are working to create more than $1 trillion in mortgage financing for minority home buyers.

The purpose of the program is to increase the home ownership rate, especially among minority groups, who have lower rates of home ownership when compared to the national average, and to lower closing costs by approximately $700 per loan in order to stimulate home ownership for all Americans.

This amendment will help first-time homebuyers by allowing funds appropriated to be available through December 30, 2009, to coincide with typical lease calendars, and provide increased flexibility for purchasing.

I urge my colleagues to support this amendment.

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

Mr. SWEENEY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I do so in opposition to this amendment which I understand takes part of the program and makes it available into the first quarter of fiscal year 2010. The problem with that is that this adds an unneeded complication to the administration and accounting of the HOME program and is unnecessary since under existing rules, if the funds are obligated on time, they will be available to homeowners during the last quarter of the year.

Mr. Chairman, this causes a great deal of problems in the administration of this program, so I would urge my colleagues to vote ''no'' on this amendment.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentlewoman from Texas has 1½ minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me just say to the distinguished chairman that I would like to err on the side of hardworking, taxpaying Americans who have invested their taxes and look forward to a return back home to them.

There are all kinds of complications, and I would suggest that the extra added time frame for this program to be extended would in fact be a plus for hardworking Americans seeking an opportunity for the American Dream. I frankly think the procedural, if you will, barrier can be remedied by this extension and my amendment.

I would ask all of my colleagues, Republicans and Democrats, to invest in the American Dream by voting to extend this particular provision and this particular investment in allowing them to buy the one singular investment that all Americans should have an opportunity to have: young couples, retiring couples, working couples of all races, colors and creeds, and particularly the very positive impact it has on minority Americans.

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

Mr. SWEENEY. Mr. Chairman, I have no further speakers and I will close on this side.

Ms. JACKSON-LEE of Texas. Do I have the opportunity to close, Mr. Chairman?

The Acting CHAIRMAN. The gentleman from New York has the right to close.

Ms. JACKSON-LEE of Texas. Not having any other speakers, and you have no other speakers, let me again simply say that 55 percent of the individuals impacted by the American Dream program through the HOME monies are in fact minorities.

Having suffered through the travesty of Katrina, having suffered through Wilma and Rita, we know many are in the process of rebuilding and buying homes. Why not give them the extra added opportunity of a mere 3 months to be able to do what is right for them so that the American Dream is not extinguished because we are selfish on the floor of the House.

I am delighted to ask my colleagues in a bipartisan manner to support the Jackson-Lee amendment to invest in the American Dream for all Americans, and that is to have an opportunity to buy and live in your own home.

I yield back the balance of my time.

Mr. SWEENEY. Mr. Chairman, once again I reiterate the opposition by the committee to this amendment. It is unnecessary and is an unneeded complication. But I would make the final point that already in existing appropriations the problem of the first quarter of next year will be satisfied with $25 million that has been appropriated next year, which will overlap between the 2007 and 2008 cycle, meaning this amendment is not only unnecessary but wouldn't have the impact which is already covered in the bill, in prior bills passed.

I urge my colleagues to vote ''no.''

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, $60,390,000, to remain available until September 30, 2009: *Provided,* That of the total amount provided in this heading $21,920,000 shall be made available to the Self Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further,* That $32,000,000 shall be made available for capacity building, of which $31,000,000 shall be for capacity building for Community Development and affordable Housing for LISC and the Enterprise Foundation for activities authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, and $1,000,000 shall be made available for capacity building activities administered by Habitat for Humanity International: *Provided further,* That $3,500,000 shall be made available to the Housing Assistance Council; $1,980,000 shall be available as a grant to the National Housing Development Corporation for operating expenses and a program of affordable housing acquisition and rehabilitation: *Provided further,* That up to $990,000 shall be made available for technical assistance.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,535,990,000, of which $1,515,990,000 shall remain available until September 30, 2009, and of which $20,000,000 shall remain available until expended: *Provided,* That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: *Provided further,* That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further,* That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further,* That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further,* That up to $10,395,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further,* That $2,475,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund: *Provided further,* That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2007.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $5,475,700,000, to remain available until expended: *Provided,* That the amounts made available under this heading are provided as follows:

(1) $5,326,240,000 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) $145,500,000 for performance-based contract administrators for section 8 project-based assistance: *Provided,* That the Secretary may also use such amounts for performance-based contract administrators for: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended (12 U.S.C. 1701q, 1701q–1); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act; project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667).

(3) No less than $3,960,000 shall be transferred to the Working Capital Fund.

(4) Amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'' may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $734,580,000, to remain available until September 30, 2010, of which amount up to $603,900,000 shall be for capital advance and project-based rental assistance awards, of which amount up to $59,400,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to $24,750,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: *Provided,* That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further,* That no less than $1,980,000 of the total amount made available under this heading shall be transferred to the Working Capital Fund: *Provided further,* That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

AMENDMENT OFFERED BY MS. HARRIS

Ms. HARRIS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HARRIS:

Page 100, line 18, after the dollar amount, insert the following: ''(increased by $12,000,000)''.

Page 102, line 3, after the dollar amount, insert the following: ''(increased by $3,000,000)''.

Page 111, line 3, after the first dollar amount, insert the following: ''(reduced by $12,000,000)''.

Page 195, line 4, after the dollar amount, insert the following: ''(reduced by $3,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Florida (Ms. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. HARRIS. Mr. Chairman, I rise today to address an affordable housing crisis facing this Nation's most vulnerable populations.

Let me begin by recognizing the work of Chairman KNOLLENBERG and the committee in crafting this bill. In particular, I commend the committee's work in addressing critical housing needs. However, I rise today to offer an amendment to strengthen an extremely important housing program for our Nation's low-income seniors and persons with disabilities.

HUD's section 202 Supportive Housing for the Elderly Program funds capital development grants and rental assistance contracts for nonprofit housing sponsors to develop and maintain housing.

Since its inception in 1959, the program has demonstrated how a successful partnership between public-private entities can maximize efficiency and quality of a Federal housing program as well as enhancing the sense of independence and self-reliance so important to the mental health of our seniors.

HUD's section 811, Disabled Housing Program, is the only HUD program that offers accessible and affordable supportive housing for nonelderly, low-income persons with disabilities. The program provides safe and affordable housing for people with the most severe disabilities who rely on SSI income of $600 or less per month.

Funds in this program are used to develop and improve fully wheelchair-accessible units of permanent supportive housing and to foster the integration of citizens with disabilities into open housing rather than confining them to nursing homes, public institutions, or imposing them on families and friends.

The section 811 program is supported by groups including the United Cerebral Palsy Association, the National Alliance for the Mentally Ill, and the Arc of the United States.

As importantly, the restoration of funds would be offset by $12 million reductions in Housing and Urban Development Management and Administration and $3 million in General Services Administration costs, so there is no additional cost to America's taxpayers. In fact, CBO scores this amendment as a net outlay savings of $11 million.

Mr. Chairman, my amendment would not bust the budget, nor would it expand the size of government. Simply put, it would increase the opportunities available to seniors and the disabled to find the affordable, safe and secure housing that they deserve. I strongly encourage my colleagues to support this amendment.

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

Mr. SWEENEY. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, while I recognize that the gentlewoman from Florida has great intentions here, this bill, as we have said, is all about choosing priorities and making some difficult choices. The proposed reduction in HUD S&E funds, combined with the need to absorb a one-half percent increase in the Federal pay raise, will necessitate a further reduction in HUD's staffing level of several hundred full-time equivalent staff positions, making it more difficult for HUD to provide sufficient oversight and risk management in its significant housing and community development program delivery.

Regarding the cuts to GSA, I make note that we are at the start of the hurricane season, and these funds that would be cut support the Office of Citizen Services and Communications, the Nation's focal point for information and services offered by the Federal Government. This infrastructure has been a resource in the time of crisis or unexpected events, most recently as a means to provide valuable information to citizens after Hurricane Katrina. Reductions could impact the hours of operation of our call centers for victims of hurricanes this year.

These accounts also fund GSA's real and personal property utilization and disposal programs from which we transfer assets no longer needed by the Federal Government to State and local governments and nonprofit organizations, saving millions of dollars.

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Cutting these funds delays in transferring properties to eligible recipients and delays in generating sales proceeds from disposal actions.

The amendment would cut funds for the Office of Governmentwide Policy, which carries out various policy functions assigned by Congress that is separate from GSA's operations. For example, these are the folks who set per diem rates and travel policy for government employees.

Mr. Chairman, cutting GSA operating expenses is the surest way to bring the operations of the Federal Government to a grinding halt. And while ''government'' bashing may be popular with many folks, we found out with the devastating hurricane season last year that many citizens want their government to respond to them in times of need. I ask Members to oppose this amendment.

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

Ms. HARRIS. Mr. Chairman, I yield myself the balance of my time.

I want to commend the chairman for the bill which addresses important issues, including transportation, the war on drugs and Judiciary, and critical housing needs.

I acknowledge that there are robust funding levels for these programs in the underlying bill. However, our Nation's seniors in their golden years deserve access to affordable housing. We owe it to persons with disabilities to provide them with the opportunity to live their lives to the fullest.

This additional $15 million for these important programs is judicious from budgets of tens of hundreds of millions of dollars. But nonetheless, Congress must demonstrate its resolve to forthrightly pursue these important and noble goals.

I strongly urge my colleagues to step up and show your commitment to tackle the affordable housing crisis facing our Nation's most vulnerable citizens such as our seniors and persons with disabilities.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. HARRIS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. HARRIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 101, line 9 after ''Fund;'', ''*Provided further*, that all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants''.

Mr. SWEENEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

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

I offer my appreciation to the ranking member, Mr. OLVER, and Mr. KNOLLENBERG, and of course the chairman and the ranking member of the full committee.

This is a difficult task, but as I stand here today, I argue that it is a difficult posture to be in, to be elderly in America and to be without housing. We have already heard the stories about the choices that our elderly citizens have to make, sometimes between food, prescription drugs and, of course, housing.

In my own community in Houston as we are hosting thousands of Hurricane Katrina survivors, we have found the most vulnerable to be senior citizens, individuals who are without income or a future in terms of the work world and need to have some housing.

This is a simple amendment. This amendment says all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants. Who could be against this simple statement?

I would ask my colleagues on the other side of the aisle to consider the vast numbers of the growing population of elderly, and let's try to do something about their plight.

In the year 2000, the elderly made up 12.4 percent of the population. The total number of elderly increased 12 percent from 1990 to the U.S. Census in 2000. More than 7.4 million elderly households pay more than they can afford for their housing. The number of elderly rental households rose to 1.2 million between 1999 and 2001, an increase of 14 percent.

This extension or this compliance with the idea of having elderly housing remain available for rental I think is a statement that responds to the changing demographics of America, the problems of low-income seniors facing multiyear housing assistance. Waiting lists are exacerbated by the shrinking supply of suitable, affordable housing as some owners convert existing units to market-rate housing.

Ask the many cities across America and the rural areas how many thousands of individuals are on the Section 8 housing, if you will, and they will respond thousands. And many of them are senior citizens. Nearly 21 percent of elderly 65 and older reported not being able to afford moderately priced housing in the area in which they live. Of those individuals, 79 percent of those renting housing reported not being able to afford rent prices in their own areas.

What can we do about it? We can simply acknowledge the fact that tenant-based housing should be available for the elderly. Thirty-four percent of older African American households and 41 percent of older Hispanic households rent their household, compared with only 19 percent of older white households. There is a population for rental assistance for the elderly, and particularly in view of the evacuation, the largest evacuation we can ever have imagined following Hurricanes Katrina, Rita and Wilma.

This is an important amendment that I hope my colleagues would support. But more importantly, I hope my dear friend would yield to waiving the point of order so this amendment might be able to be passed by this body.

Mr. Chairman, I rise to offer an amendment to H.R. 5576 that emphasizes that all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants.

In the year 2000, the elderly made up 12.4 percent of the population. The total number of elderly increased 12 percent from 1990 (U.S. Census 2000).

More than 7.4 million elderly households pay more than they can afford for their housing. The number of elderly rental households with worst-case housing needs rose to 1.2 million between 1999 and 2001, an increase of 14 percent.

The problems of low income seniors facing multi-year housing assistance waiting lists is only exacerbated by the shrinking supply of suitable, affordable housing as some owners convert existing units to market-rate housing.

Nearly 21 percent of elderly 65 and over reported not being able to afford moderately priced housing in the areas in which they live. Of those individuals, 79 percent of those renting housing reported not being able to afford rent prices in their areas. (U.S. Census 1995, Housing Affordability)

Thirty-four percent of older African American households and 41 percent of older Hispanic households were renter households, compared with only 19 percent of older white households. (1995 American Housing Survey)

Approximately 19 percent of elderly African American and 11 percent of older Hispanic households reported moderate or severe problems regarding the physical condition of their housing units.

New tools are needed to help preserve these units and to provide the supportive services that are so necessary for an aging population.

Housing for the Elderly and Housing for Persons with Disabilities are funded at the FY 2006 levels of $735 million and $237 million respectively. The President's budget cut Elderly Housing by $190 million (26 percent) and Housing for Persons with Disabilities by $118 million (50 percent).

This amendment emphasizes the intent of the funding under this heading to assist the elderly, only and specifically the elderly, with rental housing.

I urge my colleagues to support this amendment.

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

The Acting CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. SWEENEY. I do, Mr. Chairman.

POINT OF ORDER

Mr. SWEENEY. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.'' The amendment is not merely perfecting and adds additional legislation.

I ask for a ruling from the Chair.

The Acting CHAIRMAN. Does the gentlewoman from Texas wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Am I able to speak after the ruling of Chair on the point of order?

The Acting CHAIRMAN. The gentlewoman may speak in advance of the ruling by the Chair.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me simply say that I have asked respectfully for the opposing side, for the Republicans, to acknowledge the plight of the elderly, and the percentage of them who are suffering without having the ability to have housing.

The Acting CHAIRMAN. The gentlewoman must confine her remarks to the point of order.

Ms. JACKSON-LEE of Texas. My position is that the enormity of the need warrants a waiver of the point of order, and I would ask the majority to waive the point of order so the elderly might be served in rental housing so the choice they make is not health care or housing.

I ask for a ruling from the Chair in favor of my amendment.

The Acting CHAIRMAN. The paragraph to which the amendment has been offered is a legislative provision permitted to remain under the rule.

The amendment offered by the gentlewoman from Texas proposes not merely to perfect the language permitted to remain but to add additional legislation thereto; namely, a requirement that certain housing assistance remain available.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, $236,610,000 to remain available until September 30, 2010: *Provided*, That no less than $990,000 shall be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading up to $74,745,000 shall be for amendments or renewal of tenant-based assistance contracts: *Provided further*, That all tenant-

based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $24,750,000, to remain available until expended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to $16,000,000 to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That for the dispute resolution and installation programs, the Secretary may assess and collect fees and charges from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, subject to amounts made available under this heading, may use such collections, as well as fees collected under such section 620, for necessary expenses of such Act: *Provided further*, That in addition to amounts made available under this heading, and notwithstanding the requirements of such section 620, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services: *Provided further*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2007 so as to result in no final fiscal year 2007 appropriation from the general fund, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2007 appropriation.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2007, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $185,000,000,000.

During fiscal year 2007, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $351,450,000, of which not to exceed $347,490,000 shall be transferred to the appropriation for ''Salaries and expenses''; and not to exceed $3,960,000 shall be transferred to the appropriation for ''Office of Inspector General''. In addition, for administrative contract expenses, $52,400,000, of which no less than $23,562,000 shall be transferred to the Working Capital Fund, and of which up to $10,000,000 may be for education and outreach of FHA single family loan products: *Provided*, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2007, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $8,600,000, to remain available until expended: *Provided*, That commitments to guarantee loans shall not exceed $35,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $229,086,000, of which $209,286,000 shall be transferred to the appropriation for ''Salaries and Expenses''; and of which $19,800,000 shall be transferred to the appropriation for ''Office of Inspector General''.

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $72,778,000, of which no less than $10,692,000 shall be transferred to the Working Capital Fund.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $100,000,000,000, to remain available until September 30, 2008.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $10,700,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $10,700,000, shall be transferred to the appropriation for ''Salaries and Expenses''.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $55,787,000, to remain available until September 30, 2008: *Provided*, That of the total amount provided under this heading, $5,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: *Provided further*, That of the amounts made available for PATH under this heading, $2,500,000 shall not be subject to the requirements of section 305 of this title: *Provided further*, That of the funds made available under this heading, $20,394,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974, as amended: *Provided further*, That activities for the Partnership for Advancing Technology in Housing Initiative shall be administered by the Office of Policy Development and Research for Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act as amended, tribal colleges and universities, the Historically Black Colleges and Universities program, and the Hispanic Serving Institutions Programs.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $44,550,000, to remain available until September 30, 2008, of which $18,800,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $114,840,000, to remain available until September 30, 2008, of which $8,712,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: *Provided further*, That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: *Provided further*, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity

that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. SLAUGHTER:

Page 109, line 14, after the dollar amount, insert the following: ''(increased by $35,000,000)''.

Page 111, line 3, after the first dollar amount, insert the following: ''(reduced by $35,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, I would like to ask a favor. Mr. TERRY and I want to split this 5 minutes exactly in half, and so if you would be kind enough to tell me when my time is up.

The Acting CHAIRMAN. The gentlewoman is recognized for 2½ minutes.

Ms. SLAUGHTER. Mr. Chairman, I rise today in strong support of the Slaughter-Velázquez-Terry amendment to restore funding to HUD's critically important Office of Lead Hazard Control.

This funding is necessary if we ever hope to eradicate childhood lead poisoning by 2010, a imperative national goal. HUD's Office of Lead Hazard Control provides grants to cities and States working to correct serious lead hazards in low income and high-risk homes. The grants are targeted to help the most vulnerable of our citizens, children under the age of 6.

Mr. Chairman, this is not an isolated problem. Lead poisoning affects nearly 434,000 American children each year between the ages of 1 and 5, and it is unacceptable. High blood levels in children have been linked to asthma, brain damage, hearing loss, hyperactivity and environmental delays. We must not let that happen to our children. In extreme cases, exposure to lead has caused seizures, comas and death.

In my district alone, over 2,000 children fall victim to lead poisoning each year. Over 50 percent of the homes in Niagara and Erie Counties were built before 1950 and are likely to contain lead paint. In Erie County, 1,000 children will be found to have unsafe lead levels.

A $1.5 million lead hazard control grant that went to the City of Buffalo has been essential in local efforts to protect the children from lead poisoning.

The City of Rochester is among the top 10 U.S. cities with the worst lead paint problems. In 2004, 900 children in Monroe County were exposed to lead poisoning. To combat the problem, Monroe County and the City of Rochester have worked together using funding from HUD's lead hazard control grant to make nearly 300 housing units lead free and safe for children.

Lead hazard control grants work, but they are threatened by a lack of funding. In fiscal year 2006, the Office of Lead Hazard Control received $1.548 million, and that is $16 million less than in 2005. The 2007 appropriations bill makes it worse and cuts it more by $35 million. The need far outpaces the resources and slashing the funding will significantly jeopardize the progress we have made.

I urge Members to support the Slaughter-Velázquez-Terry amendment.

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

Mr. SWEENEY. Mr. Chairman, I rise in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

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

Mr. Chairman, I recognize noble intentions are at work here, but I am very opposed to increasing this program at the expense of other critical programs, and there are a number of reasons.

The committee mark fully funds the amount requested by the administration and fully funds the program that has been in place for the past decade. These funds go to State and local governments to abate lead-based paint in homes that will not be restored through privately funded modernization or resale.

Three years ago the Senate began a new demonstration program and added between $50 and $75 million in additional funds. The House has not included these funds in subsequent years, and the Senate has attempted to continue the demonstration program each year. They may well try to do it again.

The committee is simply not in a position to absorb a $35 million increase in funding for this demonstration program at the expense of other programs that are being funded at the 2005 level or below.

Once again, the proposed reduction in S&E funds, combined with the need to absorb a one-half percent increase in the Federal pay raise, will necessitate a further reduction in HUD's staffing level of several hundred full-time equivalent staff positions, making it more difficult for HUD to provide sufficient oversight and risk management in its significant housing and community development program delivery.

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Therefore, Mr. Chairman, I would urge a ''no'' vote on this amendment.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Chairman, I yield the remaining time to Mr. TERRY.

The Acting CHAIRMAN. The gentleman from Nebraska is recognized for 2½ minutes.

Mr. TERRY. Mr. Chairman, I thank the gentlewoman from New York for not only sponsoring this, but yielding me the time.

I rise in support of this amendment as a coauthor, cosponsor of this important amendment. What this amendment does is it restores $35 million to help States combat childhood lead poisoning.

I happen to represent a district where a significant geographical portion has been declared a Superfund site because of lead contamination. Although the lead contamination in the soil is a different issue and a different agency, the reality is one agency, EPA, cleans up the yards from lead contamination. What they are finding is that part of the contamination is also from the lead-based paint from the outside or exterior of the home. At the same time, we have the lead paint interior issues in these older, poorer parts of my city. So what happens is we clean up one area and leave other contaminated areas. It makes sense that we do a more holistic approach and clean up lead paint at the same time in those homes.

But, unfortunately, the fund that deals with the lead paint for houses has been cut. This program has already fallen from a previous level of $175 million in fiscal year 2003. This appropriations bill under consideration today would further cut the funding from $150 million in fiscal year 2006 to about $115 million in fiscal year 2007. I realize the budget is tight, and we try to take this out of the administrative salary side so we don't have to take it out of the programs that Mr. SWEENEY had referenced.

This is important to the health and safety of children in many inner-city urban areas, and I respectfully request my colleagues support this amendment.

Mr. SWEENEY. Mr. Chairman, let me just conclude by reiterating my remarks that this is, as Mr. TERRY pointed out, a year of very tough budget numbers. But not only that, we need to control our spending here.

The committee understands that, but also understands that it needs to meet other priorities. The mark fully funds the amount requested by the administration and fully funds the program that has been in place the past decade. The cuts that are proposed as offsets would be too substantial to absorb in the other programs. It would have a devastating impact.

I would urge our colleagues to vote ''no.''

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. SLAUGHTER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentlewoman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $25,000 for official reception and representation expenses, $1,141,117,000, of which $556,776,000 shall be provided from the various funds of the Federal Housing Administration, $10,700,000 shall be provided from funds of the Government National Mortgage Association, $148,500 shall be provided by transfer from the ''Native American housing block grants'' account, $247,500 shall be provided by transfer from the ''Indian housing loan guarantee fund program'' account and $35,000 shall be transferred from the ''Native Hawaiian housing loan guarantee fund'' account: *Provided,* That funds made available under this heading shall only be allocated in the manner specified in the statement of the managers accompanying this Act unless the Committees on Appropriations of both the House of Representatives and the Senate are notified of any changes in an operating plan or reprogramming: *Provided further*, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: *Provided further*, That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: *Provided further,* That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: *Provided further*, That the Chief Financial Officer shall: (1) appoint qualified personnel to conduct investigations of potential or actual violations; (2) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (3) establish guidelines and timeframes for the conduct and completion of investigations; (4) prescribe the content, format and other requirements for the submission of final reports on violations; and (5) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: *Provided further*, That up to $15,000,000 may be transferred to the Working Capital Fund: *Provided further*, That the Secretary shall fill 7 out of 10 vacancies at the GS–14 and GS–15 levels until the total number of GS–14 and GS–15 positions in the Department has been reduced from the number of GS–14 and GS–15 positions on the date of enactment of Public Law 106–377 by 2½ percent.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related development activities, $100,000,000, to remain available until September 30, 2008: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $107,000,000, of which $23,760,000 shall be provided from the various funds of the Federal Housing Administration: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $62,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: *Provided*, That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2007: *Provided further*, That not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under subtitle B of such Act: *Provided further,* That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further,* That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION)

SEC. 301. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 302. None of the amounts made available under this Act may be used during fiscal year 2007 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 303. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2007 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2007 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2007 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2007, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter ''metropolitan division'') of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007

under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 304. During fiscal year 2007, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

SEC. 305. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title III of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 306. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 307. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 308. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2007 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 309. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the budget justifications. For fiscal year 2007, HUD shall transmit this information to the Committees by March 15, 2007 for 30 days of review.

SEC. 310. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 311. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter ''metropolitan division''), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2007 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 312. The Department of Housing and Urban Development shall submit the Department's fiscal year 2007 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 313. That incremental vouchers previously made available under the heading ''Housing Certificate Fund'' or renewed under the heading, ''Tenant-Based Rental Assistance,'' for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 314. A public housing agency or such other entity that administers Federal housing assistance in the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the States of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 315. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title III of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 316. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 317. Incremental vouchers previously made available under the heading, ''Housing Certificate Fund'' or renewed under the heading, ''Tenant-Based Rental Assistance'', for family unification shall, to the extent practicable, continue to be provided for family unification.

SEC. 318. Notwithstanding any other provision of law, the recipient of a grant under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202b(b) of such Act, may, at its option, establish a single-asset nonprofit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

SEC. 319. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child; and

(6) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)),

shall be considered income to that individual, except for a person over the age of 23 with dependent children.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SEC. 320. The Secretary of Housing and Urban Development shall give priority consideration to applications from the housing authorities of the Counties of San Bernardino and Santa Clara and the City of San Jose, California to participate in the Moving to Work Demonstration Agreement under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134, April 26, 1996): *Provided*, That upon turnover, existing requirements on the re-issuance of Section 8 vouchers shall be maintained to ensure that not less than 75 percent of all vouchers shall be made available to extremely low-income families.

SEC. 321. The Secretary of Housing and Urban Development may, notwithstanding any other provision of law, approve additional Moving to Work Demonstration Agreements, which are entered into between a public housing agency and the Secretary under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134, April 26, 1996), but at no time may the number of active Moving to Work Demonstration Agreements exceed 32.

SEC. 322. For fiscal year 2007 and every fiscal year thereafter any obligated balances of contract authority or any obligated balances derived from contract authority from fiscal year 1974 and prior years shall be deobligated and cancelled upon contract expiration or termination.

SEC. 323. Notwithstanding any other provision of law, in fiscal year 2007, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 324. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to develop or impose policies or procedures, including an account structure, that subjects the Government National Mortgage Association to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.). This section shall not be construed to exempt that entity from credit subsidy budgeting or from budget presentation requirements previously adopted.

SEC. 325. (a) Paragraph (2) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(2)) is amended—

(1) in subparagraph (A)—

(A) by striking the subparagraph designation and all that follows through the end of clause (i) and inserting the following:

''(A) not to exceed the lesser of—

''(i) the median house price in the area, as determined by the Secretary; or'';

(B) in clause (ii)—

(i) by striking ''87 percent of'';

(ii) by striking ''for Fiscal Year'' and inserting a comma; and

(iii) by striking ''48 percent'' and inserting ''65 percent''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) not to exceed the appraised value of the property, plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.'';

(b) Paragraph (9) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(9) is amended by striking the paragraph designation and all that follows through ''*Provided further*, That for'' and inserting the following:

''(9) Be executed by a mortgagor who shall have paid on account of the property, in cash or its equivalent, an amount, if any, as the Secretary may determine based on factors determined by the Secretary and commensurate with the likelihood of default. For''.

(c) Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking ''Notwithstanding'' and inserting ''Except as provided in paragraph (3) and notwithstanding''; and

(2) by adding at the end the following new paragraph:

''(3) FLEXIBLE RISK-BASED PREMIUMS.—

''(A) IN GENERAL.—For any mortgage insured by the Secretary under this title that is secured by a 1- to 4-family dwelling and for which the loan application is received by the mortgagor on or after October 1, 2006, the Secretary may establish a mortgage insurance premium structure involving a single premium payment collected prior to the insurance of the mortgage or periodic payments, or both, without regard to any maximum or minimum premium amounts set forth in this subsection. The rate of premium for such a mortgage may vary during the mortgage term as long as the basis for determining the variable rate is established before the execution of the mortgage. The Secretary may change a premium structure established under this subparagraph but only to the extent that such change is not applied to any mortgage already executed.

''(B) ESTABLISHMENT AND ALTERATION OF PREMIUM STRUCTURE.—A premium structure shall be established or changed under subparagraph (A) only by providing notice to mortgagees and to the Congress, at least 30 days before the premium structure is established or changed.

''(C) CONSIDERATIONS FOR PREMIUM STRUCTURE.—When establishing a premium structure under subparagraph (A) or when changing such a premium structure, the Secretary shall consider the following:

''(i) The effect of the proposed premium structure on the Secretary's ability to meet the operational goals of the Mutual Mortgage Insurance Fund as provided in section 202(a).

''(ii) Underwriting variables.

''(iii) The extent to which new pricing under the proposed premium structure has potential for acceptance in the private market.

''(iv) The administrative capability of the Secretary to administer the proposed premium structure.

''(v) The effect of the proposed premium structure on the Secretary's ability to maintain the availability of mortgage credit and provide stability to mortgage markets.''.

(d) Section 255 of the National Housing Act (12 U.S.C. 1715z–20) is amended—

(1) in subsection (g)—

(A) by striking the first sentence; and

(B) by striking ''established under section 203(b)(2)'' and all that follows through ''located'' and inserting ''limitation established under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a 1-family residence''; and

(2) in subsection (i)(1)(C), by striking ''limitations'' and inserting ''limitation''.

(e) The Secretary of Housing and Urban Development shall by notice establish any additional requirements that may be necessary to immediately carry out the provisions of this section. The notice shall take effect upon issuance.

(f) In addition to amounts otherwise made available by this Act, $10,000,000 for administrative contract expenses, including amounts to be transferred to the Working Capital Fund, for Federal Housing Administration program and systems development for single family mortgage insurance.

SEC. 326. Notwithstanding any other provision of law, the cities of Alton, Illinois, and Granite City, Illinois, shall be considered metropolitan cities, for purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), for a period of time not less than the time period covered by the enactment of this Act and the implementation of modifications pursuant to the 2010 decennial census.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. WATERS:

Page 134, after line 8, insert the following new section:

SEC. 327. For the cost of guaranteed loans, as authorized by section 108 of the Housing and Community Development Act of 1974, and the amount otherwise provided in this title for ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'' is hereby reduced by, $2,970,000.

Mr. SWEENEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I would like to thank Chairman KNOLLENBERG, as well as Ranking Member JOHN OLVER for their hard work on this bill, H.R. 5576.

The purpose of my amendment is to restore funding of $2.97 million to the section 108 loan guarantee program offset from the Salaries and Expenses Account for the Department.

The program is designed to leverage economic and community development project activities. While the administration supports this consolidation of this program, consolidation is a shortcut to eliminate the section 108 loan guarantee program.

Mr. Chairman and Members, many districts have benefited from the section 108 loan guarantee program. I discovered this program in law some 12 years ago. At that time, it was scored and it was basically guaranteed by CDBG funds. Section 108 loan guarantee funds evolved to the point where many cities were using them for economic development projects that created jobs and converted old town

projects into real vibrant, vital economic engines for those cities.

This is an important program. With this program we are able not only to create jobs and to spur economic development, this is what you call a real investment in our cities and our towns, both in the urban communities and in the rural communities. This is the kind of investment that will help to get people off welfare, get people working, create new business opportunities, and help to grow these areas in these cities and these communities.

It is beyond my understanding why an investment program that is designed to create jobs, designed to help cities grow and develop would be consolidated or would be placed at risk.

If you talk with many of the Members of this Congress, you will find that they do not know that the section 108 program is in jeopardy. I was just looking at a program in the western part of L.A. County, a gateway retail project that got $8 million in section 108 loan guarantees and a $2 million BEDI grant. These funds were used to convert an old car wash into a retail center that created 750 jobs in that community.

Many communities have relied on the section 108 loan guarantee program, not only to spur economic development, but they know they could never otherwise undertake this kind of activity. Section 108 is a complement to many of the other economic development tools that are available to distressed communities around the country. As such, I would urge you to support this amendment as one tool that will be made available to communities like mine, as well as yours, to facilitate their economic development strategies.

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

The Acting CHAIRMAN. Does the gentleman from New York insist upon his point of order?

Mr. SWEENEY. Yes, I do, Mr. Chairman.

POINT OF ORDER

Mr. SWEENEY. I will make the point order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part: ''An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.''

Mr. Chairman, the amendment proposes to appropriate funds for a program that is not authorized. The amendment, therefore, violates clause 2 of rule XXI.

I ask for a ruling on the point of order.

The Acting CHAIRMAN. Does the gentlewoman from California wish to be heard on the point of order?

Ms. WATERS. Yes, Mr. Chairman.

On the point of order, I would object to the characterization of this program as unauthorized.

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As a matter of fact, it is my understanding that the program indeed is authorized. It is couched in something called consolidation, which means that it really is authorized, and I would challenge the gentleman on the opposite side of the aisle for thinking or saying that this is an unauthorized program. And if that is his reason for objecting to the program, I would ask that you certainly make a ruling based on the facts and we could move forward with including funding for this program to make sure that it is retained.

The Acting CHAIRMAN (Mr. GOODLATTE). Does any other Member wish to be heard on the point of order?

Mr. SWEENEY. Mr. Chairman, I withdraw the point of order, and I will reserve the time in opposition.

The Acting CHAIRMAN. The gentleman from New York withdraws the point of order and will control the time in opposition.

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

Mr. Chairman, as I have stated, this is an economic development program that has served our country well. As I just took a look at the number of cities that have benefited from this program, I have hundreds of cities that have benefited from this program all over the country. This will be traumatic to all of a sudden pull the rug out from under a program that creates investment in cities and towns all over America, that is helping them not only to create jobs but to create opportunities for small businesses, to redo dilapidated areas, to create new possibilities with these old towns that are being developed, to take these old dilapidated buildings and turn them into productive centers.

I do not think that perhaps my colleague on the opposite side of the aisle realizes the damage he may be causing even to his own area. And just as perhaps he thought it was not authorized when it really is, I would ask him to take a second look and not object to this program.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Ms. WATERS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentlewoman for her leadership. She has been a consistent leader in helping cities' economic development. I want to point out this seems to me a particularly odd thing to do. Cities which use this are not getting additional funding. They pay it back.

The Acting CHAIRMAN. The time of the gentlewoman from California has expired.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to the amendment, and I would urge my colleagues to do so.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I will make these very quick points: First, that section 108 is an eligible use of economic development funds. And, therefore, there is no reason to have a separate set-aside of funds, as is proposed here in this amendment. In fact, in this bill we have added $1 billion in CDBG funds for the fiscal year. So there will be plenty of opportunities for States to do exactly as the gentlewoman calls for, and we believe that is the best way the program should be run.

With that, I urge my colleagues to vote ''no.''

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. SWEENEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

I yield to my colleague from Massachusetts (Mr. FRANK) who may have two things to speak about at this point.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the ranking member of the subcommittee for yielding.

I was hoping to be able to offer an amendment, but we ran into a CBO scoring problem and I was told that therefore it would not be supported. I deeply regret this.

There is in this bill a very good set of provisions in general, expanding the ability of the FHA to be responsive. It came from work we did in the authorizing committee. Frankly, I was surprised to see it plucked in part from the authorizing version and stuck into this bill. It is authorizing language. On the whole it is a good thing. The Appropriations Committee took from the authorizing committee much of what we did, but they did not take everything. Now, they are entitled, obviously, to pick and choose, but there is one grave omission here. One of the things this bill will do will be to give the FHA the authority the ability to extend loans to people who might be of lower credit risk. That is, it will try to help get to people who might not have been able to get loans by stricter standards. That is a good thing. And it says that those people will have to pay a higher upfront fee. It could be as much as double, from 1.5 percent to 3 percent of the loan, and they will also be forced to pay a higher fee going forward. With people who are just starting out, I will accept the need to do that.

What my amendment would have accomplished, and it was something we were ready to do in the authorizing process and we lost the ability to do that, it was to say that a low income borrower, a borrower with some credit

risk, who was meeting his or her obligations after a period of 5 years would be eligible to get back the extra money. In other words, without that provision the Federal Government is going to be something of a predatory lender. It will lend money to the lower income people with the higher credit risk and charge them more for that loan. Now, as a starting point that might be a reasonable idea. But once a borrower in that category, having borrowed the money, has demonstrated over 5 years a capacity and willingness to make the payments, why does the Federal Government continue to penalize that person?

People have said, well, there might be some losses here. If there are losses, why should the responsible low income borrower be forced to bear all that cost? Why should that not be shared among all the borrowers? Why should the cost of paying for those loans that may default, a small percentage but there will still be some, why should that not go for everybody?

So right now if you are getting the maximum FHA loan, it is irrelevant to you if these people default. We are making the poor pay for the poor. You are making in this a predatory lender of the Federal Government. Without the amendment that I was told would not be accepted, so I will not push it here, low income people who borrow money from the FHA will be charged more upfront, they will be charged more going forward, and no matter how well they meet their obligations, no matter how responsible they are, they will continue to pay more for the loan. The poor pay more under this bill. And what the CBO said as well, there is a certain element of subsidy here for the low income borrowers, and this would increase the subsidy. That is right, for the low income borrowers.

I do think it is worth to trying to reach out to the lower income people, and I understand this means that some will default, but I do not understand why one low income individual or 10 or 20 low income individuals who meet their obligation ought to be the ones who bear the burden for those who do not. Now, as I said, I understand, because CBO said it was going to score it negatively, I was not going to be able to get it adopted. But I hope, to the committee, that this will not be the end of it.

Please, we are talking, Mr. Chairman, about ending predatory lending. Without the language I was talking about, we, the Federal Government, become an entity that charges you more if you are poor than if you are wealthy, that charges you more if you are in the low income bracket because you are asked to shoulder the burden of people in the same bracket who will default. That is unworthy of us. It also, of course, retards the very purpose of the bill because you say you want to expand home ownership by reaching out to people and then you charge them more because they have to pay not only the price of their own home but they are going to be saddled with the price of other people in their income level and their credit rating level who default.

That is an inappropriate thing for the Federal Government to do. And while I accept the fact that I cannot get this accepted now, I hope we can talk about this.

By the way, the overall bill will raise money for the Federal Government. This would simply reduce it by a small amount. That is the least we can do for low income people.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This title may be cited as the ''Department of Housing and Urban Development Act, 2007''.

TITLE IV

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $63,405,000, of which $2,000,000 shall remain available until expended.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $12,959,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $26,000,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $16,182,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $4,556,114,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $3,952,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended (18 U.S.C. 3006A); the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, $750,033,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), $63,079,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $400,334,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger

motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $73,800,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $23,500,000; of which $1,800,000 shall remain available through September 30, 2008, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $54,000,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $800,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $3,500,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $15,500,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 401. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'', shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 805 and 810 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Notwithstanding any other provision of law, the salaries and expenses appropriation for ''Courts of Appeals, District Courts, and Other Judicial Services'' shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 404. Within 90 days of enactment of this Act, the Administrative Office of the U.S. Courts shall submit to the Committees on Appropriations a comprehensive financial plan for the Judiciary allocating all sources of available funds including appropriations, fee collections, and carryover balances, to include a separate and detailed plan for the Judiciary Information Technology fund.

SEC. 405. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended—

(1) in the second sentence, by inserting ''the district of Kansas,'' after ''Except with respect to''; and

(2) by inserting after the second sentence the following: ''The first vacancy in the office of district judge in the district of Kansas occurring 20 years or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled.''.

This title may be cited as ''The Judiciary Appropriations Act, 2007''.

TITLE V

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $35,100,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further*, That not more than $1,200,000 of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $8,533,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided*, That any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

DISTRICT OF COLUMBIA COURTS

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $219,629,000, to be allocated as follows: for the District of Columbia Court of Appeals, $9,401,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $89,646,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $46,653,000, of which not to exceed $1,500 is for official reception and representation expenses; and $73,929,000, to remain available until September 30, 2008, for capital improvements for District of Columbia courthouse facilities: *Provided*, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause ''availability of Funds'' found at 48 CFR 52.232–18: *Provided further*, That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 percent of the funds provided under this heading for facilities.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $43,475,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $73,929,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $73,929,000 provided under such heading for

capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia and the Public Defender Service for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $181,653,000, of which not to exceed $2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which not to exceed $400,000 for the Community Supervision program and $160,000 for the Pretrial Services program, both to remain available until September 30, 2008, are for Information Technology infrastructure enhancement acquisitions; of which $135,457,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which $46,196,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the D.C. Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses of the District of Columbia Public Defender Service, $32,710,000: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $7,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,300,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, $5,000,000: *Provided*, That these funds shall be available for the projects and in the amounts specified in the Statement of the Managers on the conference report accompanying this Act: *Provided further*, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia (CFO) a budget and a report on the activities to be carried out with such funds no later than March 15, 2007, and the CFO shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate no later than June 1, 2007.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $40,800,000, to be allocated as follows: for the District of Columbia Public Schools, $13,000,000 to improve public school education in the District of Columbia; for the State Education Office, $13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2008; for the Secretary of the Department of Education, $14,800,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 126), of which up to $1,800,000 may be used to administer and fund assessments.

DISTRICT OF COLUMBIA FUNDS

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, section 1–204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2007 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $8,996,915,000 (of which $5,079,758,000 shall be from local funds, $2,011,321,000 shall be from Federal grant funds, $1,897,951,000 shall be from other funds, and $7,885,000 shall be from private funds), in addition, $170,052,000 from funds previously appropriated in this Act as Federal payments: *Provided further*, That of the local funds, $175,292,000 shall be derived from the District's general fund balance: *Provided further*, That of these funds the District's intradistrict authority shall be $523,004,000: *Provided further*, That in addition for capital construction projects there is appropriated an increase of $2,400,757,000, of which $1,756,306,000 shall be from local funds, $54,281,000 from Highway Trust funds, $52,000,000 from the Local Street Maintenance fund, $15,000,000 from revenue bonds, $18,200,000 from Certificates of Participation financing, $63,000,000 from financing for construction of a baseball stadium, $229,970,000 from Federal grant funds, and a rescission of $65,859,000 from local funds appropriated under this heading in prior years, for a net amount of $2,334,898,000, to remain available until expended: *Provided further*, That the amounts provided under this heading are to be subject to the provisions of and allocated and expended as proposed under ''Title II—District of Columbia Funds'' of the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to the Congress of the United States by the District of Columbia in June 2006: *Provided further*, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2007, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 502. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 503. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 504. (a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter other than—

(1) the promotion or support of any boycott; or

(2) statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 505. (a) None of the funds provided under this title to the agencies funded by this title, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this title, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center, unless in the case of federal funds, the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming and in the case of local funds, the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each such local funds reprogramming conducted subject to this subsection.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of $3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each reprogramming conducted subject to this subsection, except that in no event may the amount of any funds transferred exceed 4 percent of the local funds in the appropriations.

(c) The District of Columbia Government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through September 30, 2007.

SEC. 506. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 507. (a) Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; sec. 1–601.01 et seq., D.C. Official Code), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (sec. 1–204.22(3), D.C. Official Code), shall apply with respect to the compensation of District of Columbia employees. For pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b) Notwithstanding section 8344(a) of title 5, United States Code, the amendment made by section 2 of the District Government Reemployed Annuitant Offset Elimination Amendment Act of 2004 (D.C. Law 15–207) shall apply with respect to any individual employed in an appointive or elective position with the District of Columbia government after December 7, 2004.

SEC. 508. No later than 30 days after the end of the first quarter of fiscal year 2007, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2007 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2008. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 509. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Official Code, section 2–303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 510. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, section 1–123).

SEC. 511. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, section 32–701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 512. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the obligation, and expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this title, or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.

(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia, to the Committees on Appropriations of the House of Representatives and Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 513. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2007, an inventory, as of September 30, 2006, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 514. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2007 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, section 2–302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making

the appropriations for the year and its legislative history.

SEC. 515. (a) None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 516. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 517. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted: *Provided,* That the Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by April 1, 2007 and October 1, 2007, a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 518. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

SEC. 519. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;

(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia;

(4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools and the District of Columbia public charter schools;

(5) improvement in basic District services, including rat control and abatement;

(6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 520. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, section 1–204.42), for all agencies of the District of Columbia government for fiscal year 2007 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 521. (a) None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of $4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b) In this section, the term ''action'' includes an administrative proceeding and any ensuing or related proceedings before a court of competent jurisdiction.

SEC. 522. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Education Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia. As part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification. The Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA. The Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 523. The amount appropriated by this Act may be increased by no more than $42,000,000 from funds identified in the comprehensive annual financial report as the District's fiscal year 2006 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

(A) One-time expenditures.

(B) Expenditures to avoid deficit spending.

(C) Debt Reduction.

(D) Program needs.

(E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 524. (a) To account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia Funds pursuant to this Act may be increased—

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as ''Other-Type Funds'' in the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify—

(A) the increase in revenue; and

(B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 525. The Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act (Public Law 93–198): *Provided,* That the amount borrowed shall not exceed 50 percent of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing: *Provided further,* That the borrowing shall not deplete either fund by more than 50 percent: *Provided*

further, That 100 percent of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: *Provided further*, That in the event that short-term borrowing has been conducted and the emergency or the contingency funds are later depleted below 50 percent as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50 percent of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

SEC. 526. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 527. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 528. The authority that the Chief Financial Officer of the District of Columbia exercised with respect to personnel and the preparation of fiscal impact statements during a control period (as defined in Public Law 104–8) shall remain in effect until September 30, 2007.

SEC. 529. The entire process used by the Chief Financial Officer to acquire any and all kinds of goods, works and services by any contractual means, including but not limited to purchase, lease or rental, shall be exempt from all of the provisions of the District of Columbia's Procurement Practices Act of 1985: *Provided*, That provisions made by this section shall take effect as if enacted in D.C. Law 11–259 and shall remain in effect until September 30, 2007.

SEC. 530. (a) DIRECT APPROPRIATION.—Section 307(a) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2—1607(a), D.C. Official Code) is amended by striking the first 2 sentences and inserting the following: ''There are authorized to be appropriated to the Service in each fiscal year such funds as may be necessary to carry out this chapter.''.

(b) CONFORMING AMENDMENT.—Section 11233 of the Balanced Budget Act of 1997 (sec. 24—133, D.C. Official Code) is amended by striking subsection (f).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.

SEC. 531. (a) The item relating to ''Federal Payment for School Improvement'' in the District of Columbia Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2512) is amended by striking ''$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2007'' and inserting the following: ''$13,000,000 to expand quality public charter schools in the District of Columbia, of which $4,000,000 shall be for the direct loan fund and shall remain available until expended, $2,000,000 shall be for credit enhancement and shall remain available until expended, and the remainder shall remain available until September 30, 2007''.

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2006.

SEC. 532. Except as expressly provided otherwise, any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this title.

This title may be cited as the ''District of Columbia Appropriations Act, 2007''.

□ 2030

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 176, line 11 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OFFERED BY MR. KNOLLENBERG

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KNOLLENBERG:

On page 175, line 16, through page 176, line 6, strike Section 531.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. KNOLLENBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, my amendment strikes section 531 of the bill. We included this correcting provision at the request of the D.C. Education Office to assist them with some funds management.

Unfortunately this provision creates an advance appropriation and, therefore, violates the budget resolution. I ask for the amendment's adoption.

The CHAIRMAN. The question is on the amendment offend by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $51,952,000: *Provided*, That of the funds appropriated under this heading, up to $1,500,000 shall be for the Privacy and Civil Liberties Oversight Board.

AMENDMENT OFFERED BY MR. SHAYS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHAYS:

Page 177, line 15, after the dollar amount, insert the following: ''(increased by $750,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Connecticut (Mr. SHAYS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, this amendment would add $750,000 to an account that has $1.5 million in it. Mrs. MALONEY and I both had legislation adding $1.5 million on top of the $1.5 million to the Civil Liberties Board.

Mr. Chairman, it is my understanding that the chairman will accept this amendment at 750, and I advise Mrs. MALONEY of that fact. What we want to do, Mr. Chairman, is to support a Civil Liberties Board that hopefully over time will do more than it is presently doing.

When we give the executive branch more power, we need to have more oversight, more congressional oversight, stronger whistleblower protection. And the 9/11 Commission suggested a strong Civil Liberties Board.

I would like to ask the chairman if this is in fact an amendment that he would accept.

Mr. KNOLLENBERG. I would be happy to accept the amendment with the provision that it would be at the $750,000 level.

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

The Acting CHAIRMAN. For what purpose does the gentlewoman from New York rise?

Mrs. MALONEY. I rise and would like to express—

The Acting CHAIRMAN. Is the gentlewoman opposed to the amendment?

Mrs. MALONEY. No, I am not opposed to it.

I am opposed to it because I feel we should have gotten more money.

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Mrs. MALONEY. Mr. Chairman, I had an amendment with Mr. UDALL which would have raised the funding amount to $3 million. I feel that the $750,000 is certainly welcomed and needed, but I regret that we were not able to achieve the additional $1.5 million.

One way that this Congress and the President can show their support for a program is the level of funding that is appropriated, and when we passed the

very important intelligence reform bill, a very important provision of this bill, and a recommendation, one of the top recommendations of the 9/11 Commission, was the creation of a governmentwide Privacy and Civil Liberties Oversight Board.

This board, if given the proper funding and authority, has the opportunity to enhance our security and protect our Nation's core values as we fight to prevent terrorism. The bill before us provides up to $1.5 million in funding, as part of the Executive Office of the President. The Maloney-Tom Udall amendment would have increased the amount of the board to $3 million.

This board is to be funded from the $52 million account provided for in the Executive Office of the President, and our amendment would further draw from this account. We had hoped that it would have passed. I want to say that if we value human rights and civil liberties, we should be funding this board.

We had a hearing on it earlier, and they only had one staff member and one administrator. And certainly, for an oversight board for civil liberties, they should have more funding to protect the civil liberties of Americans. We asked them if they had looked at the many challenges before this country now, the surveillance of phones, the surveillance in the libraries, the surveillance of private lives of people, and we questioned why they had not taken this up.

They said they had just been formed. But I would say that another reason they have not taken it up is that they do not have enough staff working with them.

And clearly any governmentwide board tasked to perform oversight regarding privacy civil liberties will need more than three permanent staffers to get the job done.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, like my colleague from New York, I am glad we are getting something additional. This is symptomatic of this bill. It will provide too little money for a lot of very important programs.

And we will be told, yes, it is a good program, but we do not have the money. I believe the members of the subcommittee did the best possible job. I commend them for doing the best possible job in the circumstances.

The problem is that the majority created the circumstances. This is the consequence of too many tax cuts with wars at the same time, and a budget that then leaves too little money. So in case after case after case, we will be told, you are right, that is a very important function, we do not have enough money.

This particularly troubles me because I would like to build the consensus in the country for the kind of vigorous law enforcement that we need to protect ourselves in the face of this new threat.

When the oversight board on civil liberties and privacy that the 9/11 Commission recommended is starved for money, you lose the opportunity to achieve that balance that would increase support for law enforcement.

And while no one says it is a bad idea, except maybe the Vice President, but he did not say that openly, I just guessed, no one says that it is doing a bad job. There is too little money left because the priorities are tax cuts, the war in Iraq, and then everything else gets stiffed.

And this is an example of a very good program. The committee did the best it could, and the amendment of the gentleman from Connecticut makes a bad situation somewhat better. I am glad that it is here, but we are in this situation because this is an example of the price the country is paying for a very distorted set of priorities.

Mr. Chairman, I thank the gentlewoman, who has been a leader in this fight.

Mrs. MALONEY. Mr. Chairman, reclaiming my time, I would like to contrast this office with the Privacy Office at the Department of Homeland Security. There they have 25 staff members. Here we have three staff members at the governmentwide office, and 25 for the office within just one department.

Just beyond the challenge of staffing, the additional funding will allow the board to develop the infrastructure they need to do their job and will send a message that Congress fully intends to support the important work of the board.

We need to support them. The 9/11 Commission gave this an ''F.'' We would like to get it funded and up and running, and we must find ways of doing this. I appreciate the efforts of my colleagues.

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

Mr. Chairman, I just first would thank Mr. KNOLLENBERG for adding $750,000 to the $1.5 million that is already there. I particularly want to thank my colleague, Mrs. MALONEY, who has worked tirelessly on the 9/11 Commission with me and others. I appreciate her willingness to accept this amendment. I appreciate the work that she has done, and she is right about this.

With the Government getting more power, with the PATRIOT Act and the war on terrorism and, and, and, there needs to be stronger legislative oversight. We need to make sure that our whistleblower statutes protect those in the intelligence community.

We need a much stronger Civil Liberties Board. This money will allow the Civil Liberties Board to get started and to do what they need. I know we will be back asking Mr. KNOLLENBERG for more as it proves its viability and effectiveness.

Mr. Chairman, at this time I urge acceptance of this amendment.

My amendment would add a modest $750,000 for the Privacy and Civil Liberties Oversight Board. This board was created by the Intelligence Reform and Terrorism Prevention Act and is based on a key recommendation of the 9–11 Commission.

The Commission provided the nation with 41 important recommendations to address the terrorist threat and improve our homeland security and recognized the need to balance civil liberties and security. It recommended the following: At this time of increased and consolidated government authority, there should be a board within the executive branch to oversee adherence to the guidelines we recommend and the commitment the government makes to defend our civil liberties.

Unfortunately, the authority of the Privacy and Civil Liberties Oversight Board is not as broad as proposed because the legislation that created it does not provide subpoena power, and Board investigations can be vetoed by the U.S. Attorney General. The need for the Board to have strong oversight power was the subject of a recent hearing held in the Subcommittee on National Security, Emerging Threats and International Relations, which I chair.

The limitations on debate prevent my offering an amendment that would expand the Board's powers as is proposed in H.R. 5000, which I co-authored with Representative Maloney, but we can take an important step to ensure the Board will function to the best of its ability under current law.

During our Subcommittee hearing, the chair and vice-chair of the Board testified that they currently only have two staff members and are considering hiring one additional permanent staff member. Mr. Chairman, how can a board with responsibilities for protecting privacy and civil liberties operate like this?

With increased executive power must come increased oversight. These additional funds will help the Board establish its infrastructure and begin performing the robust oversight needed to make it successful, and ensure it can protect all citizens' privacy and civil liberties.

Mr. UDALL of New Mexico. Mr. Chairman, I am pleased to be a cosponsor of this amendment, which is a simple and straightforward step to ensure the privacy rights and civil liberties are being adequately protected.

Recognizing that many of their recommendations called for the government to more effectively protect our Nation, 9/11 Commissioners unanimously expressed the need for a viable Privacy and Civil Liberties Board. The Board was created to help ensure that as we take steps to protect our Nation, it was not done at the expense of our civil liberties.

Unfortunately, this vital board, which was established by the Intelligence Reform bill almost two years ago, has only recently had its Members appointed and confirmed and has held its first meetings. It now has to organize, hire staff, and begin fulfilling its responsibilities, all of which takes time and resources. However, in the 9/11 Commission's report card on the implementation of its recommendations, which was released in December, the COmmission noted the Board's insufficient funding. This problem persists in this year'as appropriations bill, which will severly hinder the Board's ability to complete these tasks.

Following the revelations about the National Security Agency's various spy programs, it is

more evident that we need the Privacy and Civil Liberties Board to be implemented now more than ever. However, the current level of funding is clearly inadequate. $1,500,000 is not enough for a Board charged with monitoring privacy and civil liberties implications of federal regulations, executive branch policies and procedures, and public law.

The Maloney/Udall amendment increases the amount reserved for the Board to $3 million—the same amount that was initially given to the 9/11 Commission. And the level of funding in the bill for the Executive Office of the President will remain the same. This amendment simply gives the Board the funding it needs to do the job is was created to do.

I urge a "yes" vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $12,041,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $1,600,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $4,002,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $3,385,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $8,405,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $91,393,000, of which $11,397,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, $76,185,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made and shall be allocated in accordance with the terms and conditions set forth in the accompanying statement of the managers except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That the preceding shall not apply to printed hearings released by the Committees on Appropriations: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and Appropriations Committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days of the end of the OMB review period based on the notification from the Director, Congress shall assume OMB concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $26,928,000; of which $1,316,000 shall remain available until expended for policy research and evaluation: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $19,600,000, which shall remain available until expended, consisting of $9,600,000 for counternarcotics research and development projects, of which up to $1,000,000 is to be directed to supply reduction activities, and $10,000,000 for the continued operation of the technology transfer program: *Provided*, That the $9,600,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $227,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities: *Provided*, That up to 49 percent, to remain available until September 30, 2007, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less

than $2,000,000 shall be used for auditing services and associated activities, and at least $500,000 of the $2,000,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program.

AMENDMENT OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HOOLEY:

Page 184, line 17, after the dollar amount, insert the following: ''(increased by $8,000,000)''.

Page 205, line 18, after the dollar amount, insert the following: ''(reduced by $8,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. HOOLEY. Mr. Chairman, today I rise to offer an amendment with Congressman HULSHOF and Congressman SKELTON that would provide an $8 million increase to the High Intensity Drug Trafficking Area Program.

Mr. Chairman, for the past 5 years, HIDTA has essentially been levelly funded despite the increasing threat from the spread of methamphetamine throughout our country.

This amendment would enable the Office of National Drug Control Policy to maintain full funding to existing HIDTAs as well as provide additional resources for the establishment of new HIDTAs.

Mr. Chairman, in my three decades of public service, I have not seen a problem as pervasive or as damaging as Oregon's meth epidemic. The production, distribution and use of meth is a serious threat to public health and safety.

□ 2045

I have traveled around the State talking to policymakers and law enforcement leaders about the meth problem. I have heard one message loud and clear: local law enforcement lacks the resources needed to extinguish Oregon's meth wildfire, and I know Oregon is by no means alone in this fight.

HIDTA provides State and local law enforcement with critical Federal resources to fight meth abuse. It is particularly effective because these resources are targeted at the areas most adversely affected by drug trafficking. It allows communities to develop and implement a comprehensive strategy to combat meth and other illegal drugs, one that addresses enforcement, treatment, prevention education, and control of precursor chemicals.

Last year, I offered a similar amendment to the FY 06 meth appropriation bill that added $9 million to HIDTA. While this amendment passed overwhelmingly, the funding was stripped from the final conference report. HIDTA deserves the support of this Congress because it not only helps law enforcement identify and dismantle labs, but also helps break the cycle of other crimes associated with meth use, crimes from domestic violence and child abuse to identity theft. We must continue to support this valuable initiative so our communities have the resources they need to stop the spread of methamphetamine.

I urge you to support this amendment.

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

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, first let me state that I am a supporter of the High Intensity Drug Trafficking Areas program. I think it is apparent from the recommended level of funding in our bill.

Mr. Chairman, the President requested that this program be transferred to the Department of Justice, a Department not under the jurisdiction of this subcommittee, at a level of $207 million. Given the wide support for this program, we retain the oversight of the program in the TTHUD subcommittee and increased funding above the President's request $20 million to that $227 million level.

I would support my colleague's amount if this were not a zero-sum situation. But this increase has to come from another program, in this case the National Archives and Records Administration, or NARA. NARA has a projected $12 million shortfall right now, even if they receive full funding for fiscal year 2007. A hiring freeze goes into effect on the beginning of July. A cut of $12 million could result in serious staffing issues at the National Archives.

Additionally, there is a projected reduction in research hours and hours open to the public and other measures that have to be taken even with full funding. A $12 million cut would impose further reductions on operating hours, something that I oppose; and I urge my colleagues, therefore, to oppose this amendment.

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

Ms. HOOLEY. Mr. Chairman, if the gentleman will answer a question, this was $9 million, not $12 million.

Mr. KNOLLENBERG. Well, the whole point is that it isn't just one thing; it is two or three things that are the problem. Already, they are down $12 million. Then there is the possibility that yours would strike some more money.

Finally, what do they do about the servicing? How do they even get along with that situation when they know they are going to lose some people. They are going to lose some people.

Ms. HOOLEY. Mr. Chairman, reclaiming the balance of my time, this amendment is really about priorities. The National Archives is an excellent program, and one I fully support; but this amendment still leaves them with $281.6 million for operating expenses. It is an increase. HIDTA is at level funding, and it allows HIDTA to improve and expand its services for the first time in 5 years, at a time when communities across this country are facing an increasing problem with methamphetamine.

Everybody knows this is a huge problem, one of the fastest-growing drug problems in the Nation. I think we need to provide HIDTA with the funding they need. It is not that I don't support the archives program; it is terrific. But HIDTA has been funded at a level that it already had an increase, and I think we need to fund this. This is a horrific epidemic in this country, and I think we need to fund it.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. HOOLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

The Clerk will read.

The Clerk read as follows:

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $194,000,000, to remain available until expended, of which the amounts are available as follows: $100,000,000 to support a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998: *Provided*, That the Office of National Drug Control Policy shall maintain funding for non-advertising services for the media campaign at no less than the fiscal year 2003 ratio of service funding to total funds and shall continue the corporate outreach program as it operated prior to its cancellation; $80,000,000 to continue a program of matching grants to drug-free communities, of which $2,000,000 shall be a direct grant to the Community Anti-Drug Coalitions of America for the National Community Anti-Drug Coalition Institute, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; $1,000,000 for the National Drug Court Institute; $1,000,000 for the National Alliance for Model State Drug Laws; $8,500,000 for the United States Anti-Doping Agency for anti-doping activities; $1,500,000 for the United States membership dues to the World Anti-Doping Agency; and $1,980,000 for evaluations and research related to National Drug Control Program performance measures: *Provided further*, That such funds may be transferred to other Federal departments and agencies to carry out such activities: *Provided further*, That of the amounts appropriated for a national media campaign, not to exceed 10 percent shall be for administration, advertising production, research and

testing, labor and related costs of the national media campaign.

UNANTICIPATED NEEDS

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,352,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $317,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 601. From funds made available in this Act under the headings ''White House Office'', ''Executive Residence at the White House'', ''White House Repair and Restoration'', ''Council of Economic Advisors'', ''National Security Council'', ''Office of Administration'', ''Office of Policy Development'', ''Special Assistance to the President'', and ''Official Residence of the Vice President'', the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, 15 days after giving notice to the House and Senate Committees on Appropriations, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from ''Special Assistance to the President'' or ''Official Residence of the Vice President'' without the approval of the Vice President.

SEC. 602. The President shall submit to the Committees on Appropriations not later than 30 days after enactment, and prior to the initial obligation of funds appropriated under the heading ''Office of National Drug Control Policy'', a financial plan on the proposed uses of all funds under the heading on a project-by-project basis, for which the obligation of funds is anticipated: *Provided*, That up to 20 percent of funds appropriated under this heading may be obligated before the submission of the report subject to prior approval of the Committees on Appropriations: *Provided further*, That the report shall be updated and submitted to the Committees on Appropriations every six months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*, That any new projects and changes in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations.

This title may be cited as the ''Executive Office of the President Appropriations Act, 2007''.

TITLE VII

INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $5,956,590: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $62,370,000.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002, $16,908,000, of which $4,950,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $26,256,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund (or any successor to these Funds).

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $57,138,000, of which no less than $6,500,000 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses: *Provided*, That the FEC is authorized to establish, modify, charge, and collect registration fees for FEC hosted conferences: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to attend the campaign finance conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $25,218,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $21,474,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATION ON AVAILABILITY OF REVENUE

To carry out the purposes of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), the revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract: *Provided*, That notwithstanding any other provision of this Act, in an amount not more than the aggregate amount specified under this heading in the Report of the House Committee on Appropriations to accompany the Transportation, Treasury, Housing and Urban Development, the Judiciary, The District of Columbia, and Independent Agencies Appropriations Act, 2007, and that such aggregate amount shall remain available until expended in such amounts for individual real property projects and activities as provided in that accompanying Report: *Provided further*, That any proposed increases or decreases to the amounts contained in such report shall be subject to prior approval of the Committee on Appropriations.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with

the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109, $52,550,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; providing Internet access to Federal information and services; agency-wide policy direction and management, and Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses, $83,032,000.

AMENDMENT OFFERED BY MR. WYNN

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WYNN:

Page 195, line 4, after ''$83,032,000'' insert ''(reduced by $1,000,000)''.

Page 209, line 15, after ''$100,178,000'' insert ''(increased by $1,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Maryland (Mr. WYNN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. WYNN. Mr. Chairman, I rise to offer an amendment that would fund a study to increase health and wellness for the Federal workforce, our employees. Specifically, the amendment would fund a study by the Office of Personnel Management to develop recommendations to create incentives to boost the level of physical fitness and in return the productivity of Federal employees and their families.

Increasing the level of Federal employees' physical fitness would indeed boost the productivity of workers, reduce chronic illness, and decrease the Federal workforce's health care costs.

Let me talk for a minute about the nature of the problem. Today, approximately 127 million adults in the United States are overweight. I know a little about that. Sixty million are obese and nine million are severely obese. Obesity has been linked to an increase in chronic diseases such as coronary artery disease, type 2 diabetes, osteoporosis, high blood pressure and certain types of cancer.

According to the Centers for Disease Control and Prevention, the medical care costs, and this is what is important, the medical care cost of people with chronic diseases accounts for more than 75 percent of the Nation's $1.4 trillion in medical costs.

You know, on this floor, Mr. Chairman, we offer you the phrase, we need to run government like a business. I think that is a good idea. What you will find is businesses are increasingly turning to wellness programs to reduce rising health care costs and most believe that these programs will have a long-term impact according to a survey by the Deloitte Center For Health Solutions and the ERISA Industry Committee.

For example, Lafarge North America, a Herndon, Virginia, building materials manufacturer with 650 employees reimburses its employees for half of their monthly gym fees up to $500 per year. Employees of Aetna can earn financial incentives of up to $345 a year for participating in weight management and fitness courses.

Could this business approach apply to the Federal workforce? I think so. This amendment would provide funding to study best ways to improve employee health and fitness, thereby improving productivity. Some of the issues under study would include lunchtime walking and running clubs, creating accessible biking trails or bike routes, providing periodic incentive programs, promoting physical activities, health risk appraisals for all employees, contract with health plans to offer free and reduced cost memberships to health clubs allowing flexible work schedules so employees can exercise; discounting health insurance premiums and/or reduce copayments and deductibles in return for an employee's participation in specified health promotion or disease prevention program, constructing gyms in the workplace, such as we have here at the House; sponsoring exercise classes, providing employees with a stipend, full or partial, for gym membership.

Mr. Chairman, let me conclude by saying this: this amendment is designed to call attention to the link between Federal employees' fitness and greater productivity and ultimately taxpayer savings on health insurance costs. I would like to work with the chairman and the ranking member in the future to increase the level of physical fitness in the Federal workforce. I believe it is a win/win for the taxpayer and Federal employees.

At this time, Mr. Chairman, I would ask unanimous consent to withdraw my amendment in the hope of further discussion as we go forward.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I just want to thank the gentleman from Maryland for his interest in this area. I certainly agree that to the extent we can, we should promote and encourage physical activity as a way to prevent chronic health problems. I would just say that I look forward to working with you on this matter and make sure that these efforts lead to some decent results.

Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 252, line 2 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the remainder of the bill through page 252, line 2 is as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $44,312,000: *Provided,* That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further,* That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $3,000,000, to remain available until expended: *Provided,* That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: *Provided further,* That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further,* That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $3,030,000: *Provided,* That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, $16,866,000, to be deposited into the Federal Citizen Information Center Fund: *Provided,* That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Information Center activities in the aggregate amount not to exceed $35,000,000: *Provided further,* That appropriations, revenues, and collections accruing to this Fund during fiscal year 2007 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 701. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 702. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 703. Funds in the Federal Buildings Fund made available for fiscal year 2007 for Federal Buildings Fund activities may be transferred between such activities only to

the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 704. Except as otherwise provided in this title, no funds made available by this Act shall be used to transmit a fiscal year 2008 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided*, That the fiscal year 2008 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 705. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 706. From funds made available under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'', claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 707. ACQUISITION SERVICES FUND.—(a) 40 U.S.C. 321 is amended as follows:

(1) In the heading, by striking ''**GENERAL SUPPLY**'' and inserting ''**ACQUISITION SERVICES**''.

(2) In subsection (a), by striking ''General Supply'' and inserting ''Acquisition Services'' and adding ''(the Fund)'' following ''Acquisition Services Fund''; and after the initial sentence, by adding the following new paragraph: ''The Fund shall replace the General Supply Fund and the Information Technology Fund. Capital assets and balances remaining in the General Supply Fund and the Information Technology Fund as in existence immediately before February 1, 2007 shall be transferred to the Acquisition Services Fund and shall be merged with and be available for the purposes of the Acquisition Services Fund. Any liabilities, commitments, and obligations of the General Supply Fund and the Information Technology Fund as in existence immediately before February 1, 2007 shall be assumed by the Acquisition Services Fund.''.

(3) In subsection (b)—

(A) by striking the text of paragraph (1) and inserting the following: ''The Fund is composed of amounts authorized to be transferred to the Fund or otherwise made available to the Fund.'';

(B) by striking the text of paragraph (2) and inserting the following: ''The Fund shall be credited with all reimbursements, advances, and refunds or recoveries relating to personal property or services procured through the Fund, including—

''(A) the net proceeds of disposal of surplus personal property;

''(B) receipts from carriers and others for loss of, or damage to, personal property; and

''(C) receipts from agencies charged fees pursuant to rates established by the Administrator.'';

(C) by striking the heading and text of paragraph (3) and inserting the following: ''COST AND CAPITAL REQUIREMENTS.—The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be approved by the Administrator. The Administrator shall establish rates to be charged agencies provided, or to be provided, a supply of personal property and non-personal services through the Fund, in accordance with the plan.''; and

(D) by adding at the end the following new paragraph:

''(4) DEPOSIT OF FEES.—Fees collected by the Administrator under section 313 of this title may be deposited in the Fund, to be used for the purposes of the Fund.''.

(4) In subsection (c)(1)(A)—

(A) by striking ''and'' at the end of clause (i);

(B) by inserting ''and'' after the semicolon at the end of clause (ii); and

(C) by inserting after clause (ii) the following new clause:

''(iii) personal services related to the provision of information technology (as defined in section 11101(6) of this title);''.

(5) In subsection (d)(2)(A)—

(A) by striking ''and'' at the end of clause (iv);

(B) by redesignating clause (v) as clause (vi); and

(C) by inserting after clause (iv) the following new clause:

''(v) the cost of personal services employed directly in providing information technology (as defined in section 11101(6) of this title); and''.

(6) By striking subsection (f) and inserting the following:

''(f) TRANSFER OF UNCOMMITTED BALANCES.—Following the close of each fiscal year, after making provision for a sufficient level of inventory of personal property to meet the needs of Federal Agencies, the replacement cost of motor vehicles, and other anticipated operating needs reflected in the cost and capital plan developed under subsection (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts.''.

(7) CONFORMING AND CLERICAL AMENDMENTS.—

(A) 40 U.S.C. 322 is repealed.

(B) The table of sections for chapter 3 of title 40, United States Code, is amended by striking the items relating to sections 321 and 322 and inserting the following:

''321. Acquisition Services Fund.''.

(C) 40 U.S.C. 573 is amended by striking ''General Supply Fund'' both places it appears and inserting ''Acquisition Services Fund''.

(D) 40 U.S.C. 604(b) is amended in the heading and the text by striking ''General Supply Fund'' and inserting ''Acquisition Services Fund''.

(E) 40 U.S.C. 605 is amended—

(i) in the heading and the text of subsection (a) by striking ''General Supply Fund'' and inserting ''Acquisition Services Fund''; and

(ii) in subsection (b)(2), by striking ''321(f)(1)'' and inserting ''321(f)'' and by striking ''General Supply Fund'' and inserting ''Acquisition Services Fund''.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $36,531,000, together with not to exceed $2,579,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $2,000,000, to remain available until expended, of which up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289) notwithstanding sections 8 and 9 of Public Law 102–259: *Provided*, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $2,000,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents and the activities of the Public Interest Declassification Board, and for the hire of passenger motor vehicles, $289,605,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

ELECTRONIC RECORDS ARCHIVES

For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, $45,455,000, of which $31,680,000 shall remain available until September 30, 2008.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $13,020,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records

as authorized by 44 U.S.C. 2504, as amended, $7,500,000, to remain available until expended: *Provided*, That of the funds provided in this paragraph, $2,000,000 shall be transferred to the operating expenses account for operating expenses of the National Historical Publications and Records Administration.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2007, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed $1,500,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 2007 shall not exceed $331,000.

COMMUNITY DEVELOPMENT CREDIT UNION REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $941,000, shall be available until September 30, 2008 for technical assistance to low-income designated credit unions.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $81,594,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

(RESCISSION)

Of the available unobligated balances made available under Public Law 106–246, $1,664,000 are rescinded.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $119,790,000.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $11,489,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $111,095,000, of which $6,913,170 shall remain available until expended for the Enterprise Human Resources Integration project; $1,435,500 shall remain available until expended for the Human Resources Line of Business project. In addition, $100,178,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2007, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,597,860, and in addition, not to exceed $16,165,710 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), as amended, the Whistleblower Protection Act of 1989 (Public Law 101–12), as amended, Public Law 107–304, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $15,937,000.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $24,255,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $2,000,000.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $108,915,000, of which $79,915,000 shall not be available for obligation until October 1, 2007: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2007.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $47,110,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VIII—GENERAL PROVISIONS THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. Such sums as may be necessary for fiscal year 2007 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 802. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 803. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 804. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 805. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 806. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 807. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 808. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 809. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 810. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided,* That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further,* That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further,* That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 811. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2007 from appropriations made available for salaries and expenses for fiscal year 2007 in this Act, shall remain available through September 30, 2008, for each such account for the purposes authorized: *Provided,* That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further,* That these requests shall be made in compliance with reprogramming guidelines.

SEC. 812. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 813. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 814. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 815. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 816. The provision of section 815 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 817. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

SEC. 818. None of the funds made available in the Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 819. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided,* That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further,* That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfield as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

TITLE IX—GENERAL PROVISIONS GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 901. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 902. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2007 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 903. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance

with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided,* That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further,* That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further,* That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 904. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 905. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992 (Public Law 102–404): *Provided,* That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further,* That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further,* That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further,* That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 906. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 907. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 908. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided,* That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 909. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 910. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 911. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service or under the charge and control of the Postal Service. The Postal Service may give such guards, with respect to such property, any of the powers of special policemen provided under 40 U.S.C. 1315. The Postmaster General, or his designee, may take any action that the Secretary of Homeland Security may take under such section with respect to that property.

SEC. 912. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 913. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2007, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2007, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2007, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2007 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2007 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2006, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2006, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2006.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 914. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be

obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 915. Notwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 916. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of National Intelligence or the Office of the Director of National Intelligence.

SEC. 917. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964 (Public Law 88–352, 78 Stat. 241), as amended, the Age Discrimination in Employment Act of 1967 (Public Law 90–202, 81 Stat. 602), and the Rehabilitation Act of 1973 (Public Law 93–112, 87 Stat. 355).

SEC. 918. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 919. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 920. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling: *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 921. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 922. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 923. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 924. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofor authorized by the Congress.

SEC. 925. (a) In this section the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 926. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 927. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse ''General Services Administration, Government-

wide Policy'' with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided,* That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Chief Acquisition Officers Council for procurement initiatives): *Provided further,* the total funds transferred or reimbursed shall not exceed $10,000,000: *Provided further,* such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 928. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 929. Nothwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided,* That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 930. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided,* That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 931. Subsection (f) of section 403 of Public Law 103–356 (31 U.S.C. 501 note), as amended, is repealed.

SEC. 932. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 933. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 934. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 935. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 936. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 937. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 938. (a) No funds shall be available for transfers or reimbursements to the E-Government Initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the House and Senate Committees on Appropriations.

(b) The report in (a) shall detail—

(1) the amount proposed for transfer for any department and agency by program office, bureau, or activity, as appropriate;

(2) the specific use of funds;

(3) the relevance of that use to that department or agency and each bureau or office within, which is contributing funds; and

(4) a description on any such activities for which funds were appropriated that will not be implemented or partially implemented by the department or agency as a result of the transfer.

SEC. 939. (a) REQUIREMENT FOR PUBLIC-PRIVATE COMPETITION.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be available to convert to contractor performance an activity or function of an executive agency, that on or after the date of enactment of this Act, is performed by more than 10 Federal employees unless—

(A) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function; and

(B) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the executive agency by an amount that equals or exceeds the lesser of—

(i) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(ii) $10,000,000.

(2) This paragraph shall not apply to—

(A) the Department of Defense;

(B) section 44920 of title 49, United States Code;

(C) a commercial or industrial type function that—

(i) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47); or

(ii) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act;

(D) depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code; or

(E) activities that are the subject of an ongoing competition that was publicly announced prior to the date of enactment of this Act.

(b) USE OF PUBLIC-PRIVATE COMPETITION.—Nothing in Office of Management and Budget Circular A–76 shall prevent the head of an executive agency from conducting a public-private competition to evaluate the benefits of converting work from contract performance to performance by Federal employees in appropriate instances. The Circular shall provide procedures and policies for these competitions that are similar to those applied to competitions that may result in the conversion of work from performance by Federal employees to performance by a contractor.

SEC. 940. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2007 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 2.7 percent, and this adjustment shall apply to civilian employees in the Department of Defense and the Department of Homeland Security and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2007.

(b) Notwithstanding section 913 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2007 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as ''Rest of US'' pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2007.

SEC. 941. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 942. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) or of section 552.224 of title 48 of the Code of Federal Regulations.

SEC. 943. Each executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. The department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: *Provided*, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

The Acting CHAIRMAN. Are there any points of order to that portion of the bill? If not, are there any amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

SEC. 944. Except as expressly provided otherwise, any reference to ''this Act'' contained in this title shall not apply to title V.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. LATOURETTE of Ohio.

Amendment by Ms. BEAN of Illinois.

Amendment by Mr. ISRAEL of New York.

Amendment by Mr. GARY G. MILLER of California.

Amendment by Mr. NADLER of New York.

Amendment by Mr. DAVIS of Alabama.

Amendment by Ms. JACKSON-LEE of Texas.

Amendment of Ms. HARRIS of Florida.

Amendment by Ms. SLAUGHTER of New York.

Amendment of Ms. WATERS of California.

Amendment by Ms. HOOLEY of Oregon.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. LATOURETTE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 266, noes 158, not voting 8, as follows:

[Roll No. 263]

AYES—266

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Gutierrez
Harman
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pelosi
Peterson (MN)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—158

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Chocola
Coble
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Everett
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Gibbons
Gillmor
Gingrey
Granger
Graves
Green (WI)
Grijalva
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
Kingston
Kline
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McMorris
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer

Northup
Norwood
Nunes
Nussle
Otter
Oxley
Pastor
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Pombo
Price (GA)
Putnam
Radanovich
Ramstad
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salazar
Schmidt
Sensenbrenner
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (TX)
Sodrel
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Walden (OR)
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)

NOT VOTING—8

Evans
Hyde
Manzullo
Miller (MI)
Payne
Reichert
Sessions
Strickland

□ 2121

Messrs. SALAZAR, CHOCOLA, SIMPSON, MARCHANT, Mrs. SCHMIDT and Mr. SULLIVAN changed their vote from ''aye'' to ''no.''

Messrs. HINOJOSA, GUTIERREZ, BURTON of Indiana and Ms. McKINNEY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. BEAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Ms. BEAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 190, not voting 8, as follows:

[Roll No. 264]

AYES—234

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

NOES—190

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

NOT VOTING—8

Evans
Hyde
Manzullo
Miller (MI)
Payne
Reichert
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2127

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

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Chairman, on June 13, 2006, I missed the following rollcall votes:

(1) Rollcall vote No. 263, an amendment to H.R. 5576, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007—an amendment to increase funding—by offsets—for Amtrak by $214,000,000. Had I been present, I would have voted ''no.''

(2) Rollcall Vote No. 264, an amendment to H.R. 5576, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007—an amendment to increase funding—by offsets—for the National Highway Traffic Safety Administration Operations and Research by $6,700,000. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. ISRAEL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ISRAEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 228, not voting 7, as follows:

[Roll No. 265]

AYES—197

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Brown (OH)
Brown, Corrine
Burgess
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cuellar
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Duncan
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gibbons
Gonzalez
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murtha
Nadler
Napolitano
Ney
Oberstar
Obey
Ortiz
Owens
Pallone
Pascrell
Pelosi
Pomeroy
Porter
Price (GA)
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wu

NOES—228

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

NOT VOTING—7

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2131

Mr. MORAN of Virginia changed his vote from ''aye'' to ''no.''

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARY G. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 286, noes 139, not voting 7, as follows:

[Roll No. 266]

AYES—286

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baldwin
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Campbell (CA)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Duncan
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gohmert
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller

Wexler
Whitfield
Wilson (NM)
Woolsey
Wu
Wynn

NOES—139

Aderholt
Akin
Alexander
Baird
Baker
Barrett (SC)
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Buyer
Camp (MI)
Cannon
Cantor
Carter
Chocola
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Emerson
English (PA)
Everett
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Inglis (SC)
Istook
Jenkins
Johnson, Sam
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCrery
McHenry
Mica
Miller (FL)
Moran (KS)
Moran (VA)
Musgrave
Myrick
Northup
Norwood
Nunes
Oxley
Pearce
Pence
Petri
Pitts
Poe
Price (GA)
Putnam
Regula
Rehberg
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ryan (WI)
Saxton
Schmidt
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Stearns
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Upton
Walsh
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 2136

Mr. ROHRABACHER, Mr. CONYERS and Miss MCMORRIS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 178, not voting 11, as follows:

[Roll No. 267]

AYES—243

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

NOES—178

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Everett
Feeney
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Inglis (SC)
Istook
Jenkins
Johnson (IL)
Johnson, Sam
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryun (KS)
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Buyer
Cannon
Evans
Hyde
Manzullo
Miller (MI)
Payne
Radanovich
Sessions
Strickland
Thomas

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). The Chair advises Members there is 1 minute remaining in this vote.

□ 2139

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DAVIS OF ALABAMA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 262, noes 162, not voting 8, as follows:

[Roll No. 268]

AYES—262

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Frank (MA)
Gerlach
Gibbons
Gilchrest
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Harris
Hart
Hastings (FL)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mack
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Rogers (AL)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Woolsey
Wu
Wynn

NOES—162

Aderholt
Akin
Alexander
Baker
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Green (WI)
Gutknecht
Hall
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hunter
Inglis (SC)
Istook
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Marchant
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Murphy
Musgrave
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Pitts
Pombo
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Evans
Harman
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). The Chair advises Members 1 minute remains in this vote.

□ 2142

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 230, not voting 9, as follows:

[Roll No. 269]

AYES—193

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

NOES—230

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Bass
Bean
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Cubin
Culberson
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
English (PA)
Everett
Farr
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor

Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kelly
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Matheson
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Miller, George
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Olver
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—9

Evans
Harman
Hyde
Manzullo
McHenry
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining on this vote.

□ 2145

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. McHENRY. Mr. Chairman, on rollcall No. 269 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MS. HARRIS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. HARRIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 335, noes 90, not voting 7, as follows:

[Roll No. 270]

AYES—335

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Ney
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (MI)
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—90

Alexander
Baird
Baker
Barrett (SC)
Blunt
Boehner
Bonilla
Boustany
Brady (TX)
Brown (SC)
Buyer
Campbell (CA)
Cannon
Cantor
Carter
Conaway
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
English (PA)
Feeney
Filner
Flake
Forbes
Foxx
Garrett (NJ)
Gingrey
Goode
Goodlatte
Granger
Graves
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hoekstra
Inglis (SC)
Istook
Jindal
Johnson, Sam
King (IA)
Knollenberg
Kolbe
Larsen (WA)
Lewis (CA)
Linder
Lucas
Marchant
McCrery
McDermott
McHenry
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neal (MA)
Neugebauer
Northup
Norwood
Nunes
Olver
Oxley
Pence
Radanovich
Rangel
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ryan (WI)
Sabo
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sullivan
Sweeney
Tancredo
Thomas
Thornberry
Visclosky
Walsh
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—7

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 2149

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. SLAUGHTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 190, not voting 9, as follows:

[Roll No. 271]

AYES—233

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

NOES—190

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

NOT VOTING—9

DeLauro
Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Smith (TX)
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 2151

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. WATERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WATERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 207, not voting 7, as follows:

[Roll No. 272]

AYES—218

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

NOES—207

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chocola
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey

Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 2155

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. HOOLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 348, noes 76, not voting 8, as follows:

[Roll No. 273]

AYES—348

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

NOES—76

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Boehner
Bonilla
Bonner
Boozman
Brady (TX)
Brown (SC)
Campbell (CA)
Cantor
Carter
Crenshaw
Cubin
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Everett
Feeney
Flake
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Goode
Hall
Hayes
Hensarling
Inglis (SC)
Johnson, Sam
Knollenberg
Kolbe
Lewis (CA)
Linder
Lucas
Marchant
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (VA)
Musgrave
Northup
Norwood
Olver
Oxley
Paul
Pence
Peterson (PA)
Petri
Pitts
Price (NC)
Radanovich
Regula
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Royce
Schmidt
Shuster
Smith (TX)
Sodrel
Tancredo
Taylor (NC)
Visclosky
Watt
Weldon (FL)
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—8

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland
Thomas

□ 2159

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PRICE of Georgia) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5576), making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

JOB-KILLING TRADE AGREEMENTS

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

Mr. BROWN of Ohio. Mr. Speaker, the People's Republic of China, Communist China, announced today that they have a $13 billion trade surplus for the month of May only. China last year with the U.S. had a $203 billion trade surplus, which, according to the U.S.-China Economic Security and Review Commission, a government agency, said that accounts in my State alone for a loss potentially of 42,000 manufacturing jobs.

Too many of our Senators, too many of our House Members voted for these trade agreements that outsourced jobs, these job-killing trade agreements that devastate our communities. When places like Mansfield and Chillicothe and Portsmouth and Zanesville and Lima lose these kinds of industrial manufacturing jobs, they hurt our schools, they mean fewer police on the street, they mean weaker fire protection, they mean hardship for our families.

Mr. Speaker, it is time that Members of Congress stood up and quit passing these job-killing trade agreements.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE FEDERAL CONSENT DECREE FAIRNESS ACT

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

Mr. BLUNT. Mr. Speaker, I am here today to talk about the Federal Consent Decree Fairness Act that I hope we see on the floor during this Congress. Mr. GARRETT from New Jersey and Mr. BISHOP from Utah and other members of the Congressional Constitution Caucus are also speaking on behalf of this important legislation tonight. I would also like to thank the gentleman from Tennessee (Mr. COOPER), who is the lead cosponsor of this legislation along with me.

I am pleased to be the sponsor of the Federal Consent Decree Fairness Act. I would like to start by explaining what it is not about. This bill is not about reining in an activist judiciary or about ending consent decrees. This legislation is about increasing the responsibility and accountability of elected officials. This is really focused on what elected officials are elected to do.

Consent decrees are too often used by elected officials as an excuse not to solve the problems they have been elected to solve. The principal goal of this legislation is to return the responsibility for public policy-making and the governing of public institutions to elected officials. When a consent decree lasts for decades, as many of them do, many elected officials never have the opportunity to take responsibility for important public services. A politician can say, I would really like to do something about the transportation system in Los Angeles County, for example, but I cannot because of that consent decree. Or I would like to spend more on education in this State, but I really cannot because our budget is determined by these consent decrees on other issues or even on education itself. And their successors in that office can and often do say the same thing.

Consent decrees, in my view, have become a hiding place for public officials, relieving them of responsibility in the area that the consent decree affects. So let me again repeat, this is a bill, an act, that would really make public officials take responsibility for the things they have been elected to do.

This bill would create an obligation on the part of newly elected public officials that they would have an opportunity to look at every consent decree that their predecessors were part of and defend why the consent decree should continue or go to the courts and explain why the consent decree no longer applies. If the plaintiff can explain to the judge why it is important that the consent decree continue, then the decree stays in place.

Our goal is to return public responsibility to public officials. Too many people in the country today, too many public officials who even try to take on these issues find that the consent decrees that were entered into decades before by their predecessors prevent them from doing the hard things that need to be done.

The only consent decrees that could be dissolved under this action are those in which the plaintiff is incapable of proving a continued need for court supervision. If there is no longer a need for court supervision, would it not be undemocratic not to return the policy decisions to elected officials and in turn to the voters?

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

(Mrs. MCCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

IRAQ WEEK IN THE HOUSE OF REPRESENTATIVES

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from New York (Mrs. MCCARTHY).

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. MCDERMOTT. Mr. Speaker, this is Iraq Week in the House of Representatives, called by the Republican majority in hopes that they can stop the bleeding, not on the ground in Iraq, but in the opinion polls in this country.

They want to capitalize on the success of the U.S. military last week and define progress in Iraq all over again. Over the last 3 years, the definition of progress by the Republican majority has been as elusive as the President's plan for Iraq.

Still, later this week after lots of Republican speech making, the majority leader will force-feed the American people a new resolution telling them what to think about the Iraq war. In the fine print is a desperate effort by the Republicans to cling to power in the November election. That is what this week is all about.

Republican leaders hope to commandeer the news cycle and convince the American people that Republicans deserve to stay despite their record on Iraq. In other words, Iraq Week is a staged Republican campaign event.

The resolution the Republicans will force through the House of Representatives on Friday will have nothing to do with increasing the safety of our Nation or the security of our soldiers on the ground in Iraq. It is about the security of the Republican grip on power. The Republicans fear the American people have answered Newt Gingrich's question. Do you remember it? ''Had enough?'' Well, they have. Poll after poll says the American people indeed have had enough of Republican power. The American people always have accepted sacrifice when it comes to defending the Nation. But one thing they have never accepted is being misled by their leaders. The American people have heard enough to know the trust they placed in the President over his justification to invade Iraq was misplaced.

The American people have seen enough to know this administration and the Republican Congress have no plan except to keep declaring progress. The words, however, pale compared to the images they see on TV every day. Enough facts have emerged for the American people to know that Iraq has become a grim lesson we learned a long time ago in Vietnam. But instead of transferring responsibility, the President declares the tide has turned, U.S. troops will stay in Iraq, and there will be difficult days ahead.

That is a Presidential declaration that more American soldiers will die, more American soldiers will suffer grave physical injuries, more American soldiers will be exposed to depleted uranium, and more American soldiers will return home traumatized by post-traumatic stress disorder.

This is today's reality, and the truth is there is no end in sight. And you will not hear that from the President. Earlier this year, U.S. military commanders talked about significant force reductions by the end of the year. They have stopped talking about it. That is because the reality on the ground in Iraq defies the Republican spin.

But the spinning goes on. Yesterday at Camp Neocon, that is what they used to call Camp David, the President called together the administration in a new effort to define progress. It was a campaign meeting meant to manage the news the American people receive about Iraq. Today, the President made a surprise visit to Iraq, not unlike landing on an aircraft carrier to declare mission accomplished. It wasn't then and it isn't now.

Soon, the Republican leaders will tell the American people what to think,

without the information on which to make an informed decision. Here is something they do not want to talk about: the U.S. is building Fortress Iraq, a $600 million embassy, the biggest in the world.

What lurks ahead for the United States is another grim and painful lesson we learned a long time ago. The administration would like to divert your attention while it orders the military to pour concrete runways and bunkers across Iraq. Tens of thousands of U.S. soldiers are going to be stationed in Iraq indefinitely. These bases will be called something else for the American people, but they will still be targets for the insurgents.

Not everyone has access to enterprise journalism being produced by the mainstream news organizations. So in the interest of promoting a resolution of truth about Iraq, I will enter into the RECORD two recent news articles. The first is from the Los Angeles Times entitled: ''Give the Defense Department an F.'' ''A Roadblock to Unity in Iraq'' was published in the Salt Lake City Tribune. Read them. Make up your own mind.

The definition of progress in Iraq is not a Republican resolution force-fed to the Congress, as they would have you believe. The definition of progress is bringing our soldiers home, all of them, in significant numbers every month from this moment on until they are out of harm's way and we are out of the war that we should never have been in in the first place.

[From the Los Angeles Times, June 3, 2006]

GIVE THE DEFENSE DEPARTMENT AN F

(By Anthony H. Cordesman)

If the United States is to win in Iraq, it needs an honest and objective picture of what is happening there. The media and outside experts can provide pieces of this picture, but only the U.S. government has the resources and access to information to offer a comprehensive overview.

But the quarterly report to Congress issued May 30 by the Department of Defense, ''Measuring Stability and Security in Iraq,'' like the weekly reports the State Department issues on Iraq, is profoundly flawed. It does more than simply spin the situation to provide false assurances to lawmakers and the public. It makes basic analytical and statistical mistakes, fails to define key terms, provides undefined and unverifiable survey information and deals with key issues by omission. It deserves an overall grade of F.

The report provides a fundamentally false picture of the political situation in Iraq and of the difficulties ahead. It does not prepare Congress or the American people for the years of effort that will be needed even under ''best-case'' conditions nor for the risk of far more serious forms of civil conflict. Some of its political reporting is simply incompetent. For example, the report repeatedly states that 77% of the Iraqi population voted in the December 2005 election. Given that the CIA estimates that almost 40% of the population is 14 or younger, there is no conceivable way that 77% of the population could have voted. The report says 12.2 million voters turned out. The CIA estimates Iraq's population is 26.8 million. This means roughly 46% of the population voted.

The far more serious problem, however, is the spin the report puts on the entire Iraqi political process. Political participation surely rose. But that wasn't because of acceptance of the new government or an embrace of a democratic political process; it reflected a steady sharpening of sectarian divisions, as Sunnis tried to make up for their decision to boycott earlier elections.

The report touts a ''true unity government with broad-based buy-in from major electoral lists and all of Iraq's communities.'' But its own data tell a different story. The one largely secular party won only 9% of parliament. The sectarian Shiite party, the United Iraqi Alliance, got 47%. The equally sectarian Sunni Iraqi Accordance Front got 16%, and the Kurdish Coalition got 19%. That hardly adds up to ''unity.''

The five-month delay in forming a government after the elections, the failure to appoint ministers of defense or interior and the fact that former Prime Minister Ibrahim Jafari relinquished his post only after strong pressure from the United States and from Grand Ayatollah Ali Sistani are signs that progress is likely to be slow in the future as well. Sectarian conflict has become almost as serious a threat as the insurgency.

It is scarcely reassuring to be told by the Defense Department that the February attack on the Golden Mosque in Samarra marked a defeat for the insurgents and Islamic extremists because it did not instantly lead to all-out civil war. It is hard to think of a worse definition of victory.

The economic section of the report contains useful data and reflects some real progress in the Iraqi financial sector. However, its analysis is flawed to the point of being actively misleading. No meaningful assessment is provided of the successes and failures of the U.S. aid effort, and no mention is made of the massive corruption and mismanagement of U.S. aid discovered by the special inspector general for Iraqi reconstruction.

Nor is there meaningful analysis of oil developments, budget and revenue problems or future needs for aid. More than $30 billion in U.S. funds and nearly $35 billion in Iraqi money is involved, yet there is a serious risk that the Bush administration will do more than omit the inspector general's report. In fact, some State Department officials and Republicans in Congress are trying to put the inspector general out of business.

The report's handling of the key issue of Iraqi unemployment is symptomatic of the victory of spin over content. The report quotes vague national figures of 18% unemployment and states that other estimates range between 25% and 40%. By saying that unemployment and poverty ''remain concerns'' but that there are ''substantial difficulties in measuring them accurately,'' it glosses over one of the most destabilizing aspects of Iraq. It ignores the failure of the aid program to create real jobs, especially for young men in areas of high crime and insurgency. Unemployment is not a casual macroeconomic factoid; it is central to bringing stability and security and to defeating the insurgency.

The Defense Department's reporting on the Iraqi police forces simply cannot be trusted. Death squads rampage in police uniforms, but there is only passing mention of staff problems, corruption, sectarian tensions or horrific prison abuses. There is no meaningful analysis of problems so severe that the U.S. has called for a ''year of the police'' and Iraq's new prime minister, Nouri Maliki, is considering reorganizing the entire force.

The United States is making real progress in some aspects of building the Iraqi regular military. Yet there is still a tendency to promise too much, too soon, to understate the risk and the threat, and to disguise the fact that the U.S. must be ready to support Iraq at least through 2008 and probably through 2010.

The U.S. cannot afford to repeat the mistakes it made in Vietnam. Among them was dangerous self-delusion. The strategy President Bush is pursuing in Iraq is high risk. If it is to have any chance of success, it will require bipartisan persistence and sustained American effort. This requires trust, and trust cannot be built without integrity. That means credible reporting.

The American people and Congress need an honest portrayal of what is happening, not halftruths by omission and spin.

[From the Salt Lake Tribune, June 8, 2006]

A ROADBLOCK TO UNITY IN IRAQ

(By Trudy Rubin)

BAGHDAD, IRAQ.—The air-conditioning has been broken for three months in the cavernous convention center where Iraq's national assembly meets, so the members were sweating profusely in the 115-degree heat.

Male delegates in Shiite turbans or the flowing robes of sheikhs or shirts and slacks, along with women in enveloping black chadors and colorful Kurdish dress—and a few females with uncovered hair—gathered in clusters Sunday as they waited for the session to begin.

This was supposed to be the meeting that finally confirmed the key members of an Iraqi government, five months after elections last December. This is supposed to be the national unity government of Shiites, Kurds—and Sunnis—on which the Bush administration counts to undermine the Sunni-led insurgency. The success of this national unity government is a key to bringing American troops home.

The delay in forming this government has sparked the worst chaos in Baghdad since Saddam Hussein fell. So delegates were eager for Prime Minister Nouri al-Maliki to keep his pledge to name the ministers of interior and defense. Those ministers are essential to restoring some security to Iraq.

Suddenly a buzz rippled through the hall.

The session had been canceled.

Squabbles among fellow Shiites over who should get the ministries had prevented Maliki from keeping his promise. That day painted a stark picture of the challenges confronting this national unity government, on which Iraqi and U.S. hopes hang.

Rather than bring Iraqis together, this government has reflected Iraq's fragmentation. The situation may be salvaged, but it will take determined leadership from a handful of key Iraqi politicians, as well as from the U.S. ambassador to Iraq, Zalmay Khalilzad.

Maliki tried from the start to act like a leader. He promised a new plan to secure Baghdad and flew to the key oil city of Basra to try to halt wars between Shiite militias and gangs. He made the pledge to name the ministers.

But Iraq's new constitution keeps the prime minister impossibly weak—a reaction to the Hussein dictatorship. And the Iraqi political culture ties him in knots.

In order to choose his two ministers, Maliki first had to get seven Shiite factions to agree among themselves on the names (they couldn't), then win over Sunnis and Kurds and Khalilzad. The prime minister lacks the power to take decisions on his own.

''We all feel sympathy for the prime minister,'' I was told by Adnan Ali al-Kadhimi, an adviser to the former prime minister, Ibrahim al-Jaafari. ''The constitution puts too many ties on the prime minister, and political leaders give themselves too many privileges.''

Indeed, the current system, in which ministries are doled out like fiefs to ethnic and

religious parties, has led to incredible corruption.

''Political position in Iraq has become a way to steal money and then leave the country,'' says one official in the defense ministry, where tens of millions of dollars vanished. With few exceptions, the new crop of ministers, also picked by party, does not appear much better than the old.

This system has made many Iraqis sour on democracy quickly. They are hungry for strong leadership. Over and over, I've heard Iraqis say Hussein could have restored order in two weeks.

This is why it is so crucial for Maliki to be able to act as a national leader who stands above the interests of sectarian parties. But it isn't easy for Maliki to make that leap. For one thing, he has virtually no experienced staff; much of what he does have is limited to his Shiite religious party, the Dawa.

I asked one of the bright lights in the new government, Deputy Prime Minister Barham Salih, what was to be done. Salih, a Kurd whom I met over a kebab feast in his garden with his peshmerga (Kurdish militia) guards, manages to combine ethnic loyalty with a commitment to building an Iraq for all its people.

''Prime Minister Maliki says he wants to transcend his Shia affiliation and act as a national leader,'' Salih said. ''It is incumbent on all of us in Iraq and Iraq's friends in the international community to help us realize that objective.''

It is unclear how or if that can be done. But the prospects for Iraq and for U.S. troop withdrawals depend on whether Maliki can lead.

The SPEAKER pro tempore (Mr. MACK). Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

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

□ 2215

ALTERNATIVE FUELS RESEARCH

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

Mr. GOODE. Mr. Speaker, I rise tonight to tell the House and the United States that leading edge research into the development of alternative fuels is happening as we speak in the Fifth District of Virginia at the Institute for Advanced Learning and Research in Danville, Virginia. The institute is a mission of Virginia's land grant institution, Virginia Tech. The institute anchors the technology economy of southside Virginia, and one of its research initiatives focus on sustainable and renewable resources.

In particular, the scientists working in this field are directing their efforts toward generating alternative energy from renewable resources such as switchgrass and hybrid poplars. The scientists believe that these renewable resources can be used in biofuels, biodiesels and bioenergy. The research being conducted at the institute is not just laboratory work, it is applied research. In that light, the institute has formed a partnership with Wendy Acres Nursery in Gretna, Virginia, also in the Fifth District. At Wendy Acres, they are growing species of switchgrass and hybrid poplar which have a low ash content when processed. This characteristic makes these plants better suited for bioenergy and biofuels. These species are being bred and investigated for use in short-rotation woody plant species and herbaceous perennials as feedstocks by the Institute for Sustainable and Renewable Resources to determine the most efficient production of bioenergy and biofuels.

Mr. Speaker, I have here a container of wood chips. I also have a container of switchgrass. What the scientists have come up with is this biofuel. This is just steps away from being able to be utilized in vehicles all across this Nation. I look forward to the day when we have no dependence on Venezuela and Mr. Chavez for our oil needs. I look forward to the day when we have no dependence on the Middle East and sheiks there for our oil needs. I look forward to the day when we are free of foreign fossil fuel. And I hope all across America we can do as they are doing in Danville and other places, making our own fuel and giving us energy independence.

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

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

AMERICA'S AGRICULTURE

Mr. ROSS. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. ROSS. Mr. Speaker, I come to the floor tonight deeply concerned about the future of our Nation's farm economy and the well-being of our farmers and ranchers. America's farm families provide the most safe, reliable and abundant source of food and fiber in the world. The security of our Nation's domestic food supply is critically important to the security of our homeland. We must continue to provide our farm families with the tools and resources necessary to continue producing our food and fiber to ensure we never become as dependent on foreign countries for our food as we are for our oil today.

I was extremely disappointed in this Republican Congress and their decision to cut agriculture disaster funding during conference committee negotiations of the emergency supplemental appropriations bill last week. I was also struck by the fact that the administration even weighed in by threatening its first veto ever of this supplemental if it contained disaster assistance for our farm families. Making these cuts on the backs of our farmers and ranchers when they are struggling to make ends meet is unconscionable.

Mr. Speaker, it is about priorities, and the decision made by this Republican Congress and administration does not reflect the commonsense priorities and values that many Arkansans and I were raised on and still believe in.

Agriculture is Arkansas' largest industry and ranks among the top 10 States in the production of rice, poultry, cotton, catfish and baitfish. In fact, one in every five Arkansas jobs is directly related to agriculture. According to a forecast by USDA's Economic Research Service, farm income is estimated to decline by $16.5 billion in 2006 as a result of increased production costs and reductions in market assistance. Reduction in farm income, combined with the hardships experienced during the 2005 crop year, will lead our Nation's farm economy into the worst decline of the 21st century.

As you can see from the poster here, Mr. Speaker, the red line, the top line, indicates the amount of money that it costs our farmers to grow crops. The bottom line demonstrates the amount of money they have received. They are losing money. In 1985, farmers spent anywhere from $80,000 to $85,000 on a new tractor. Today, a farmer will spend anywhere from $140,000 to $150,000 on a new tractor.

As the chart shows, our farm families have seen a steady increase in the cost to produce their crops, while at the same time the prices they receive for their crops remain the same and are lower than they were 10 years ago. In fact, in 1980, cotton was going for 60 cents a pound. Today, it is 42 cents a pound. Rice was going for $11.50 per hundred weight. Today, it is $7 per hundred weight. Soybeans, in 1980, $5.71 a bushel. Today, just a slight increase, at $6.09 a bushel.

In 2005, our Nation's farm families faced severe droughts, hurricane damaging winds and other natural events causing damage and devastation to their crops and livestock. Americans have been hit hard by the drastic increase in gasoline, diesel and natural gas prices. Our Nation's farm sector relies heavily on diesel fueled farm equipment to plant, harvest and transport their products to market. Increased fuel, fertilizer and other record high input costs have pushed many farmers out of business altogether, forcing them to auction off their family farms.

I have been urging this Republican Congress and administration to pass disaster assistance for our farm families since September of last year. I stand here tonight holding this binder, a binder recently presented to me by Ken Shea of Dumas, Arkansas. It is filled with farm auction after farm auction, fliers, notices of bankrupt

farm families from Arkansas. Even if a disaster bill was passed today, it would be too late for these farm families and many others who are trying desperately to avoid bankruptcy. Every day that passes without providing disaster assistance, more families are auctioning off their farms.

I am a cosponsor of H.R. 3702, an agriculture disaster assistance bill which was introduced in September of last year.

Mr. Speaker, I stand here tonight urging the Republican leadership to give us a hearing and a vote on this bill.

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

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

CONGRESSIONAL CONSTITUTION CAUCUS' CONSTITUTION HOUR—CONSENT DECREES

Mr. GARRETT of New Jersey. Mr. Speaker, I rise to claim my time out of order.

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

There was no objection.

Mr. GARRETT of New Jersey. I do thank you, Mr. Speaker.

Tonight, I come here as we do each week as members of the Constitutional Caucus come here on a regular basis to present a series of 5-minutes following the day's activities and the day's votes. We do so tonight to focus on really one of the most important and significant issues dealing with our Constitution and threats to our constitutional rights as well.

Before I do that, let me just say this, that I wish to show my utmost appreciation earlier this evening for the majority whip coming out and joining us to discuss a piece of his legislation that goes to this very fundamental issue and also for his efforts to work to protect those basic liberties of every American.

The threats that I am referring to is our Founding Fathers' principles of self-government and the jeopardy that comes in the form of consent decrees. For those of you who are not familiar with exactly what consent decrees are, in essence, they are simply this. They are judicial actions that are entered into between opposing parties, in this case by the party bringing the action, private individuals, usually, and State or local entities. State or local governments are basically compelled at the end of a court case to enter into these agreements. They are then, therefore, called consent decrees. In their name and on their face, they sound innocent enough. In reality, they simply can be because they are protecting rights of some sort or the other. But they can also have in the long-term a cumulative effect, a threat to the legislative process and also to the hardworking American taxpayer who supports it as well.

These decrees have resulted in judges engaging themselves in affairs outside of their constitutional job description, outside of the very framework of the protections that we have established in our documents of checks and balances. I say that their intents are noble and good in many cases, and that is to protect our rights, but by engaging in such blatant activism, they are actually threatening self-government itself, rights outside what our Founding Fathers intended.

I agree with what the majority whip had indicated before. This is not simply a case of dealing with judicial activism because it really goes beyond that and does not engage in that at all times. It is an understanding that our Founding Fathers had, and we have reminded those who have listened to these programs, listened to us coming to the floor each week to discuss constitutional issues, that we must be very mindful always of protecting those rights set forth by the Fathers, especially the rights of States as established in the 10th amendment. All rights not specifically delegated to the Federal Government are retained by the people and the States, respectively.

Consent decrees, therefore, can place an undue burden on the States and local officials. They can last literally for decades, long after the local officials or State officials who may have been involved with those cases in the first instance have long since left office. Newly elected officials may have come into place to find they are bound by those previously entered into decrees. They are now unable to place in policies that could rectify the situation, unable to put in policies that could solve the situation for future generations, and unable to put in policies that basically could save the taxpayers money at the end.

Judges have already tried to engage in other ways in activism, obviously of taking away our rights as we have discussed before, taking away our property rights and the democratic right to construct our marriage institutions.

But consent decrees go one step further. They chip away at the authority of our local officials, allowing judges and not the people who were democratically elected to represent them. This is not just a decision and opinions of Members of Congress. The Supreme Court has also spoken on this. In fact, in a unanimous decision back in 2004, the U.S. Supreme Court called for limiting these types of decrees in the case of Frew v. Hawkins. The court proclaimed there that Federal consent decrees could encroach on State and local power. They continued that these decrees may "improperly deprive future officials of their designated and executive powers." They may also lead "to Federal court oversight of State programs for long periods of time even absent an ongoing violation of the law."

Mr. Speaker, for these reasons, I am more than proud to support my good friend from Missouri and his legislation, H.R. 1229, the Federal Consent Decree Fairness Act. This is legislation that would provide relief to newly elected mayors and other State officials who inherit these overly broad and outdated decrees. It would limit their ability to govern. And it would be able to respond to priorities of their constituents for the future.

This legislation will put term limits on existing decrees while setting out guidelines for the future. We must ensure that they are limited in nature, not opening the doors for future violations. Again, I commend the gentleman from Missouri.

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

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

RED INK CONTINUES TO PILE UP

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to reclaim my time and to address the House for 5 minutes.

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

There was no objection.

Ms. KAPTUR. Mr. Speaker, the red ink continues to pile up, both in our budget deficit and in America's trade deficit. The Commerce Department reported on Friday that the trade deficit is rising again, pushed up by oil prices and a flood of more imports from China. With oil imports over $70 a barrel, we know this trade deficit is going to swell as the year proceeds. The Commerce Department reported that the gap between what the United States sells abroad and what it imports rose to $63.4 billion in April, 2.5 percent higher than the March imbalance of $61.9 billion. We know that the trade deficit in both February and March just fell a tad, but it had hit an all-time high this January of $66.2 billion. And while economists noted that the April deficit was smaller than the $65 billion that had been expected, it is still the sixth largest trade deficit on record.

□ 2230

This is a chart that takes a look at what has been happening ever since this Congress unfortunately passed NAFTA back in the early 1990s, followed by permanent normal trade relations with China, and what could be normal about that? Every single year the red ink gets deeper.

Through the first 4 months of this year, the trade deficit is running 1.9 percent above the same period a year ago putting our country on track to

run up a record deficit again for a fifth straight year. Last year's deficit, as this chart indicates, was three-quarters of $1 trillion, three-quarters of $1 trillion.

To cover this red ink, we have to borrow. We have to import capital to offset what we are not exporting in goods. America is in uncharted waters. We have never, ever experienced this situation before. Some people have commented that our country is handing over $2 billion a day to foreigners to cover this trade gap. The increase in the April trade deficit reflected a .7 percent rise in imports which climbed to $179.1 billion, the second highest level on record. In other words, the trend is in the wrong direction.

In addition to higher oil bills, imports of autos and auto parts were up and shipments of consumer goods from China such as furniture, televisions, video recorders and toys all rose. More imports coming in, fewer imports going out. Major U.S. companies like La-Z-Boy are having trouble in the market, because products are coming in from China where workers make pennies a day.

We have lost our entire television industry. Not a single television is made in this country any more. Companies in the automotive parts industry like Delphi are trying to struggle to hang on.

We are living through the hollowing out of our country. We are propping up this loss of real wealth and production capacity with borrowed capital. We are in uncharted waters. America has never been here before.

The markets are reflecting it. Today, in the New York Times, major headline: Broad economic worries drive global sell-off. What is happening is there are huge drops in the market. Standard & Poor 500 stock index fell 1.3 percent, erasing all of its gains for this year and closing at its lowest level since November. The NASDAQ fell more than 2 percent and the Dow Jones Industrial Average fell almost 1 percent. Damage was far worse in markets around the world.

American manufacturers claim, well, you know, the problem is just with China that their currency is undervalued by as much as 40 percent. But I can remember when they said that to me about Japan 16 years ago. MARCY, when the yen-dollar relationship comes into balance, we will have a trade surplus with Japan. No, no.

No trade surplus with Japan because they still have a closed market, and we act like they don't. So we take their products, but they don't take our products. So Japan has now become our largest financer, and every day we pay them interest on their greater and greater loans to us.

Mr. Speaker, America cannot continue on this course. In fact, analysts are saying the deficit will set an even higher record this year, probably close to $1 trillion, if we keep going at the rate that we are going today. The deficit with Japan rose by 2.8 percent in April to $7.8 billion.

The deficit with Canada rose 16.3 percent to $6.1 billion in April, while our imbalances with Mexico, with Korea, well, gosh, with about every other country in the whole world, just kept going up. The sad thing for our country is it looks like this year will be the first year in our history we will import more agricultural goods than we export. This is not the America we should be leaving to our children and grandchildren.

Let's elect people to this Congress and to this Presidency who will put America's financial house in order and make us independent again.

[From the New York Times, June 13, 2006]

BROAD ECONOMIC WORRIES DRIVE A GLOBAL SELL-OFF

(By Vikas Bajaj and Jeremy W. Peters)

Fears about higher interest rates, rising inflation and a slowing economy sent stocks sharply and broadly lower yesterday, with emerging markets taking the biggest hit.

In the United States, the Standard & Poor's 500-stock index fell 1.3 percent, erasing all of its gains for the year and closing at its lowest level since November. The Nasdaq fell more than 2 percent and the Dow Jones industrial average fell almost 1 percent.

But the damage was far worse in some other parts of the world. Trading at the Colombian stock exchange was briefly halted after its benchmark index fell more than 10 percent. Mexico's benchmark stock index fell 4.3 percent, its biggest one-day decline in more than 3 years. Markets in India, Brazil and Hungary also tumbled.

Emerging markets had enjoyed a strong surge in recent years because low interest-rate policies around the world pumped cheap money into the global economy, analysts said.

''Global liquidity has helped drive a lot of these risky assets,'' said Larry Adam, chief investment strategist at Deutsche Bank Alex Brown. ''And now you are seeing this flight to quality,'' including cash and investments in developed countries, he said.

At first glance, stocks in the United States and Western Europe do not appear to have benefited from the emerging-market retreat, but money coming out of emerging markets may be helping to cushion the blow, Mr. Adam said.

Yesterday's sell-off started early and gathered pace throughout the day. Some analysts suggested that a major catalyst was a speech by the president of the Federal Reserve Bank of Cleveland, Sandra Pianalto, in which she said that inflation was higher than her ''comfort level.''

Ms. Pianalto was the latest Fed official to express concerns about inflation in the last several days, a drumbeat that many investors think is a not-so-subtle message that the central bank will raise short-term interest rates, now at 5 percent, at its next meeting on June 29. Earlier, the Fed had indicated that it might pause in its two-year campaign of raising rates.

The Fed is ''adding to a little of this hysteria that is building,'' said James W. Paulsen, chief investment strategist at Wells Capital Management.

To be sure, Ms. Pianalto, who is one of the 11 officials who vote on Fed's interest rate policies, said that inflation, though worrisome, was not an ominous threat to the economy.

''Measures of long-term inflation expectations have been mixed lately, but, on the whole, I regard them as remaining contained,'' she said to a gathering of the Broadcast Cable Financial Management Association in Florida. The challenge of Fed policy makers, she said, ''is to make sure that they stay contained.''

The government will issue reports on wholesale and consumer inflation today and Wednesday. Excluding energy and food prices, economists expect both the producer price and consumer price indexes to have risen 0.2 percent in May, a rate considered to be modest by most experts.

The biggest loser yesterday, as in the last few weeks, was the technology industry. Many large technology companies, struggling to match past growth as they mature, have been lowering their profit projections.

For the second quarter, the technology area's profits are expected to to fall 2 percent from the same period last year while the overall increase in the S.& P. 500 is expected to be 10 percent, noted Howard Silverblatt, senior index analyst at Standard & Poor's. ''This is supposed to be a growth industry,'' he said.

The Nasdaq was led downward by Qualcomm, the maker of wireless technology, which fell 5 percent yesterday after it filed a complaint against its rival Nokia as part of a lengthy patent fight.

Shares of Apple fell almost 4 percent, apparently reflecting investors' concerns about efforts by some European countries to force the company to open up its music software to devices other than the iPod.

One of the few exceptions to yesterday's broad sell-off was General Motors, which rose 43 cents, or 1.7 percent, to $25.78. It was the Dow's biggest gainer. The shares moved higher as the president of the United Automobile Workers, the company's biggest union, told members that the union would have to rethink its traditional positions to ensure the domestic automobile industry's survival.

The stock also appeared to be reflecting investors reaction to news of an agreement late Friday that could avert a costly strike at G.M.'s largest supplier, Delphi.

Many market experts remain convinced that the recent correction in stock prices will prove temporary and will be contained to a few areas. They note that inflation, though rising, remains low by historical standards.

But the market's volatility has intensified and will probably remain high, analysts say.

''It is a retrenchment,'' Mr. Silverblatt said. But ''companies are still in good shape.''

The Dow fell 99.34 points, to close at 10,792.58, its lowest level since Feb. 7. The S & P 500 declined 15.90 points, to 1,236.40. The Nasdaq fell 43.74 points, to 2,091.32. The Russell 2000 stock index of smaller-capitalization companies, fell 18.2 points, or 2.6 percent, to 683.19. Declining issues led advancing stocks by 3½ to 1 on the New York Stock Exchange.

Treasuries fell slightly. The price of the benchmark 10-year note fell 1/32, to 101 4/32. The yield, which moves in the opposite direction of the price, rose to 4.98 percent, from 4.97 on Friday.

Here are the results of yesterday's auction of three- and six-month Treasury bills:

[000 omitted in dollar figures]

	3-Mo. Bills	6-Mo. Bills
Price	98.786	97.510
High Rate	4.800	4.925
Investment Rate	4.926	5.121
Low Rate	4.760	4.880
Median Rate	4.780	4.905
Total applied for	$39,754,505	$34,750,526
Accepted	$22,838,196	$20,264,834
Noncompetitive	$2,150,786	$1,697,043

Both issues are dated June 15, 2006. The three-month bills mature on Sept. 14, 2006 and the six-month bills mature on Dec. 14, 2006.

THE FAVORITES—STOCKS HELD BY LARGEST NUMBER OF ACCOUNTS AT MERRILL LYNCH

Stock	Close	Change (%)	
		Day	2006
AT&T Inc	26.66	+0.2	+8.9
Avaya	11.31	−1.6	+6.0
BkofAm	48.41	−0.8	+4.9
Chevron	57.59	+0.1	+1.4
Cisco	19.48	−2.5	+13.8
Citigroup	49.33	−0.9	+1.6
Comcast	32.47	−0.6	+25.3
ExxonMob	58.24	−1.0	+3.7
GenElec	33.87	−0.6	−3.4
Home Dep	36.26	−1.9	−10.4
Intel	16.86	−1.7	−32.5
IBM	77.02	−0.8	−6.3
JPMorgCh	41.60	−1.2	+4.8
JohnJn	61.38	*	+2.1
Lucent	2.41	−1.6	−9.4
Microsft	21.71	−1.0	−17.0
Pfizer	23.29	−1.0	−0.1
ProctGam	54.31	−0.3	−6.2
TimeWarn	17.20	−0.9	−1.4
VerizonCm	31.33	−0.5	+4.0

LIMITING CONSENT DECREES

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

Mr. BISHOP of Utah. Mr. Speaker, I appreciate joining the majority whip, Mr. BLUNT of Missouri, as well as the chairman of the Constitution Caucus, Mr. GARRETT of New Jersey. For several weeks now we have tried to come before this body and talk about issues in which the Federal Government in its effort to be helpful has actually caused greater harm than good.

We have talked about the significance of sunset reviews, reviewing administrative decisions, mandates, States that would put on specific pieces of legislation that would help solve some of those problems. Again we come before you today, and I am grateful to be able to talk with these good gentlemen about once again the Federal Government, in an effort to be helpful, not malicious but helpful, tipping the balance of power with the net result that people are harmed, not by design, but that is the way that has happened.

Consent decrees, which shift the horizontal balance of power, have had the net effect of actually harming individuals. It is something that is a phenomenon that every State has experienced. Federal consent decrees are enforced in all 50 States, which end with judges running prisons, schools, welfare agencies, health care systems and on and on, usually on decisions that are based upon the advice of the advocates who brought original lawsuits in the first place.

It has been mentioned there have been a couple of Supreme Court decisions that have talked about these phenomena. The case of Jenkins v. Missouri is one of those great ones in which the Kansas City school district was taken over by a Federal judge. In an effort to try to improve the school system, not only did they use the executive authority to control hires and fires as well as curriculum, they assumed the legislative authority by actually advancing a property tax on the citizens of Kansas City, Missouri, in an effort to try to improve the education system. At least at that time the Supreme Court said in a 5–4 decision that they had gone too far.

That kind of usurpation of other authorities does not actually produce the better result. In the case that Mr. GARRETT spoke about, Frew v. Hawkins in 2004, the Supreme Court once again said this can lead to the Federal court's oversight programs for long periods of time, even when there is no violation of the law still in effect.

Now what does this do for individuals? Let me give you a couple of examples. In a west coast city, they recently entered into a 5-year consent, actually in 2001 they went to a 5-year consent decree, in which certain practices would be done by the police department of this particular city. They recently conducted an independent review on how they had done in compliance with the consent decree.

The consent decree had said that every time a police officer uses nondeadly force such as perhaps twisting an arm of a suspect to handcuff him, the captain or above has to write a report of the incident within 14 days. There was a 94 percent compliance with that provision, but not enough to satisfy the consent decree.

The police commissioner was supposed to report within 45 days the quarterly discipline report. He actually took 15 days longer than that and was once again out of compliance. The department took 21 days rather than 7 days to send in its audit report to the Inspector General and was therefore out of compliance.

In fact, it would be possible to comply with all the decisions of this consent decree if the police department actually hired more personnel to keep the paperwork going. In fact, that is exactly what they did. They did hire more personnel to do the paperwork that was necessary to fulfill the details of the consent decree.

One article in the National Review talks about how the city's police department and their supervisors would meet to discuss the issues of the police department, and their topics of conversation tend to go almost universally to how to fulfill the provisions of the consent decree.

If I could quote from one article, they said for more than 2½ hours they gathered captains, sergeants lieutenants, and detectives spoke of nothing but processing the paperwork. Not a single word was uttered about reducing crime or otherwise how to improve the quality of life of people in the area in which they serve. The supervisor who attended this meeting simply called the process pathetic.

Oddly enough in the report of how they were doing in fulfilling their consent decree, it also mentioned that what the city needed were more personnel on the street and more supervisor oversight for the officers in the field, which oddly enough, in one of those ironies of life, they could have done had they not spent their money to hire the personnel to do the paperwork for the consent decree.

In New York City, they have had, since 1974, a consent decree mandating bilingual education in some of the city schools that has now been going on for 30 years, well past the original intent of it, even though the parents do not want to participate in this particular program.

Another west coast city was issued a consent decree in 1991 for their school districts, again claiming there were too few experienced teachers. Again the court stepped in increasing the taxes of these individuals by $11 million a year, and now, 15 years later, finally, the judge declared herself satisfied and declined to extend this decree for yet another 5 years.

The problem with consent decrees is very simple. Once entered into, those who are subject to those decrees have no recourse. There is no balance, there is no kind of protective area in which to go, in which case in that particular situation it is why the majority whip has asked us to introduce this piece of legislation to put a time limit on consent decrees.

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.)

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

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

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

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

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

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

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

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

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

(Ms. FOXX 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 half the remaining time until midnight as the designee of the majority leader.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate the opportunity once again to come before the House. I want to thank the leadership and the conference for their providing us the opportunity to come and talk this evening for a while and share some views with the Members of the House about a very important topic.

We have coined this on occasion the Official Truth Squad. This is the House Official Truth Squad, the Republican conference Official Truth Squad that grew out of a general frustration on the part of many Members of the freshmen class, 25, 26 strong, who are now about 18 months into our first term in Congress.

And after about 6 months, we met and shared conversation and thoughts about the House of Representatives and where we are going as a Nation. There was some real concern about what we sensed as the politics of division and the politics of deception that seemed to be practiced by many here in this Chamber and across the land, frankly.

So we organized what we called the Official Truth Squad and come to the floor of the House on many occasions, as often as possible, at least try to do it at least once a week. We broadened that participation in the Official Truth Squad, Mr. Speaker, because I think other Members of the conference felt that was an appropriate thing to do, to try to bring some light, shed some light and truth on the issues that we talk about here in the United States House of Representatives, because it is so doggone important to make certain that we have truth and facts when we are talking about issues. Because if you don't have the right facts, the truth of the matter is, it is tough to get to the appropriate solution.

□ 2245

We have adopted a slogan or a quote that we like to call on by the late Senator Daniel Patrick Moynihan and he had a quote that he used often. He said everyone is entitled to their own opinion, but they are not entitled to their own facts, and I think that kind of crystallizes the genesis of the Official Truth Squad and why we felt it was so important to come to this floor and talk about various issues.

So, Mr. Speaker, tonight is a topic that is extremely important, and it is a discussion that is important, and it is a topic that demands the truth.

Tonight, we are going to talk a bit about the war on terror, and it is one of those areas where, yes, people can have their own opinions, and it is important but it is also important to make certain that we think and talk about the facts of the war on terror.

I am going to be joined by a number of colleagues this evening, but I wanted to start off by outlining or by citing actions, events that have occurred in the war on terror. And many people have differing opinions as to when the war on terror actually began, when did the terrorism begin to threaten us. I think it probably was in 1979, and we will talk about that a little bit, but I want to just highlight a list of terrorist activities that I think bring real focus to the war on terror and that, Mr. Speaker, are terribly sobering, but I think they are important as we kick off this discussion about the war on terror.

There are literally tens, if not hundreds, of events that one could cite as being associated with the acts of terrorism around the world, but I would like to just highlight a number of them here.

I am going to go in chronological order. I am going to start in 1961 when the first U.S. aircraft was hijacked on May 1, 1961.

A number of events occurred over the next decade, but we all remember the Munich Olympic massacre on September 5, 1972.

The ambassador to the Sudan was assassinated on March 2, 1973, U.S. ambassador to Sudan Cleo Noel. Other diplomats assassinated at the Saudi Arabian embassy in Khartoum.

There was the attack and hijacking at the Rome airport in December, December 17, 1973.

The United States ambassador to Cypress, Rodger Davies, and his Greek Cypriot secretary were shot and killed on August 19, 1974.

Ambassador to Afghanistan was assassinated on February 14, 1979, and of course, the Iran hostage crisis began in November of 1979 when Iranian radicals seized the U.S. embassy in Tehran and took 66 American diplomats hostage, holding 53 of them for 444 days.

Grand mosque seizure, November 20, 1979, in Mecca.

U.S. installation bombing, August 31, 1981 in Ramstein, West Germany.

Assassination of President Sadat, the Egyptian President, on October 6, 1981.

Murder of missionaries on December 4, 1981 in El Salvador.

The bombing of the U.S. embassy in Beirut, April 18, 1983. Sixty-three people, including the CIA's Middle East director, were killed. Islamic Jihad claimed responsibility.

Naval officer assassinated in El Salvador on May 25, 1983.

Bombing of the marine barracks, Beirut, October 23, 1983. There were simultaneous suicide truck bomb attacks made on American and French compounds in Beirut, killing 242 Americans and 58 French troops killed when a 400-pound device was deployed at a French base. The Islamic Jihad claimed responsibility.

Facts, Mr. Speaker.

Naval officer was assassinated in Greece, November 15, 1983.

Kidnapping of an embassy official and the murder of political officer William Buckley in Beirut, Lebanon, March 16, 1984.

Restaurant bombing in Spain, April 12, 1984. Eighteen U.S. servicemen were killed, 83 people injured.

TWA hijacking June 14, 1985.

Achille Lauro hijacking, October 7, 1985.

Aircraft bombing in Greece, March 30, 1986.

Berlin discotheque bombing, April 5, 1986, two U.S. soldiers killed and 79 American servicemen injured.

Bus attack, April 24, 1987, 16 U.S. servicemen riding in a Greek air force bus near Athens were injured.

Kidnapping of William Higgins on February 17, 1988. He was kidnapped and murdered by Iranian-backed Hezbollah.

Naples USO attack on April 14, 1988.

Attack on U.S. diplomat in Greece, June 28, 1988. Defense attache to the U.S. embassy in Greece was killed when a car bomb was detonated outside his home in Athens.

Pan Am 103 bombing, December 21, 1988. Pan Am 103 was blown up over Lockerbie, Scotland, by a bomb believed to have been placed by Libyan terrorists, 259 people killed.

And then of course, Mr. Speaker, the first World Trade Center bombing, February 26, 1993, when a car bomb, planted by Islamic terrorists, exploded in an underground garage leaving six people dead and 1,000 people injured.

Something we oftentimes forget or very few people talk about, there was an attempted assassination on President Bush by Iraqi agents on April 14, 1993.

Saudi military installation attacked November 13, 1995.

Khobar Towers bombing June 25, 1996, in Dhahran, killing 19 U.S. military personnel, wounding 515 persons including 240 U.S. personnel.

Empire State Building sniper attack in February of 1997.

The murder of a U.S. businessmen in Pakistan, November 12, 1997.

U.S. embassy bombings in east Africa. August 7, 1998, a bomb exploded at the rear entrance of the U.S. embassy in Nairobi, Kenya, killing 12 U.S. citizens and 32 foreign service nationals

and 247 Kenyan citizens. Almost simultaneously a bomb detonated in Tanzania, killing 7 foreign service nationals, 3 Tanzanian citizens and injuring 1 U.S. citizen and 76 Tanzanians.

It is sobering, Mr. Speaker.

Attack on USS *Cole*. October 12, 2000, a small dinghy carrying explosives rammed the destroyer USS Cole killing 17 sailors.

Manila bombing in December 2000.

Philippines hostage incident, May 2001.

And then the attack on September 11, 2001, on the U.S. homeland, four planes, two colliding with the twin towers in New York, one crashing in a field in southern Pennsylvania and one crashing into the Pentagon, 3,025 United States citizens and other nationals killed.

Mr. Speaker, you can have opinions about what is going on here, but you cannot dispute the facts. That the war on terror should have begun long ago. The terrorism has plagued our Nation for years. This is a long, long battle, and it is a real war.

So to talk about some of those facts tonight I am pleased to be joined by some very good friends and colleagues. Representative ERIC CANTOR is the deputy majority whip from the State of Virginia, and he joins us this evening to talk a little bit about the war on terror and to share some perspective during this week when we have had actually some very, very good news and some very good facts come out on the war on terror.

I am pleased to yield to my good friend from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Georgia, and Mr. Speaker, I want to commend the gentleman for his meticulous research in recounting the numerous incidents of terrorist acts against American citizens over the last several decades, and I think that the gentleman makes a point that will really be the focal point, the central point of the debate of the floor of this House on Thursday, and that is, that the war in Iraq, the war in Afghanistan and all of the other incidents that the gentleman speaks of is part of a greater war against terrorists.

I want to respond to a statement that was made earlier from a colleague from the other side of the aisle. He ended his remarks by mentioning the war in Iraq and portraying it as a vicious war we should never have been in anyway.

I think, Mr. Speaker, that the gentleman from Georgia has just laid out the facts as they are. We did not ask for this war. The terrorists started this war. We must respond in order to secure our citizenry, in order to secure America.

I would, however, like to pick up from where the gentleman left off and the fact that we have experienced some victories over the last week, one in which we saw the killing of Zarqawi who was a leader in a terrorist activity in Iraq against American citizens and others, and it demonstrated, Mr. Speaker, that we are making progress, that we are able to penetrate and begin to dismantle this terrorist infrastructure that frankly has identified Iraq as the front in their war against America.

I would also like to call the House's attention, Mr. Speaker, to another victory that we experienced last week.

On June 8, which was Thursday, Mr. Speaker, the guided missile destroyer USS *Cole* joined two Iwo Jima Expeditionary Strike Group on their way to the Middle East. This marked the USS *Cole*'s first return to Middle Eastern waters since the October 12, 2000, surprise terrorist attack on the ship while it refueled in Aden Harbor, Yemen.

On a somber note, this viscous, unprovoked terrorist attack by al Qaeda terrorists on this U.S. warship claimed the lives of 17 U.S. sailors. Among these brave sailors was Hull Maintenance Technician 2nd Class Kenneth Eugene Clodfelter who was a constituent of mine.

His loss will forever be felt and his service never forgotten by any of us, by the citizens of his home county, Hanover County, Virginia, and in fact, the entire Nation.

It is a fitting tribute that the ship on which Kenneth served and gave his life returns to those same waters, reborn, resilient and again ready to bring the fight to the enemy, the Islamic fascist terrorists who seek only death and oppression.

Mr. Speaker, I believe this statement by the USS *Cole*'s newest commanding officer, Commander Bradley Roberson, says it best, and Commander Roberson said: ''We draw strength from this being a very stout and resolute hull. The crew reflects that and the fighting spirit of the navy. I think the ship symbolizes America, its determination, its fortitude and the resolve that we will be around no matter what.''

Mr. Speaker, I would also like to take a moment to commend and honor the thousands of Virginian National Guard and Reserve soldiers, sailors, airmen and marines who have served in our struggle to rid the world of Islamic-fascist terror.

As we speak, more than 1,000 brave men and women in dozens of Army Reserve, Army National Guard, Marine Corps Reserve, Navy Reserve, Air National Guard units from central Virginia continue in this struggle.

So, Mr. Speaker, I would again like to thank the gentleman from Georgia for his leadership, not only on the Official Truth Squad, but on this very, very important topic of the war against the terrorists, a war against an enemy that frankly harbors a view of the world very different from those of us in this country and one in which we will not stand down.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentleman for his comments and his keen perspective and dedication to the support of our men and women in the military who are waging this incredibly important battle and incredibly important war. Thank you so much for your participation tonight in bringing a little light, a little vision and a little truth to the discussion.

We are also joined tonight by Congresswoman MARSHA BLACKBURN from Tennessee who is almost a regular on the Official Truth Squad that brings some truth and light to so many topics, and she has a clear vision as well and a great perspective on the importance of truth in this discussion but also the importance of waging this war on terror, and I am happy to yield to my good friend from Tennessee.

□ 2300

Mrs. BLACKBURN. I thank the gentleman from Georgia for yielding. He is so appropriate in his remarks this evening as we talk about the big picture of what is happening with the war on terror and reminding us that this is not something that happened last week, last month, last year, or just within the last decade. This is something that started happening four decades ago and has grown more and more and more repetitive in attacks and actions and outward expressions of aggression as we have moved through the past four decades.

Yes, what has happened is we have moved from responding to these terrorist attacks as acts of civil disobedience to getting to the point after September 11 that we said, no, this is not just civil disobedience, this is an act of war. This is now a global war on terror and, indeed, it is important, it is imperative that we win in the battles in Afghanistan and that we win in the battles in Iraq. And as the gentleman from Georgia has mentioned, this is not something that is going to be quick and easy. This is going to be a long fight and a long struggle.

We must be certain that we all realize that our enemy is not an enemy that is located in one single place. There are terrorist cells all around the globe. At this point, yes, indeed, primarily they are drawn into Iraq because of the battle that is there, and that is one of the reasons it is important that we fight and that we win.

As the gentleman from Georgia knows, Mr. Speaker, we are winning. And we hear this from our men and women in uniform. We hear it from them in the stories that they recount to us. We hear it from their families. And we are very, very grateful to every one of these families and every man and woman in uniform who stands and fights and who understands the mission of why we fight.

Mr. PRICE of Georgia. If the gentlewoman will yield.

Mrs. BLACKBURN. I would be glad to yield to the gentleman.

Mr. PRICE of Georgia. A couple of points you make are so important for this discussion. One is about the quality and nature of our enemy. It is unlike any enemy we have ever faced because it is not an enemy who is attaining ground or territory. This is an

enemy that hates us because of who we are, what we are, and what kind of government we have. They clearly have stated that democracy is their enemy. It is not a territory.

And you mentioned about the troops being behind our actions virtually 100 percent. I was so heartened to see the President in Baghdad earlier today in the tape we saw and the welcome he received from our U.S. troops. It was just incredibly moving to see our President visit our troops there and to visit the new government in Iraq.

I yield back.

Mrs. BLACKBURN. Indeed, it is heartening to see that. And what a source of encouragement for those men and women in uniform to be in their day working in Baghdad and all of a sudden they receive the news that their Commander in Chief has flown through the night to come and say thank you to them for that work; thank you for what they are doing for this country.

And as the gentleman just mentioned, we fight because we have an enemy that would destroy what this country is built on. It would destroy what we stand for. It is imperative that we win so that we continue with America as we know America, so that we continue to live our lives in freedom, so that our children go to school not in fear but go ready to learn and with a sense of security, so that we live in our homes, so that we go to work, so that we have our daily life and carry on our business and do it without the fear of being interrupted by terrorist threats, by terrorist strikes, by terrorist fighting that would take place in our streets, in our cities here in America.

Mr. PRICE of Georgia. If the gentlewoman will yield once again.

Mrs. BLACKBURN. Be happy to.

Mr. PRICE of Georgia. I think it is important because when we talk about opinions and facts, a lot of people have their opinions about the nature of our enemy and what their goal is, but the fact of the matter is you don't have to look too far because you can look to their words. You can look to their words, and we have a quote here from al-Zarqawi, who was finally brought to justice in the past couple of days, and what he said in January of 2005.

These are his words, now. These are not our words but his words: ''We have declared a fierce war on this evil principle of democracy and those who follow this wrong ideology.'' That is the nature of our enemy. That is why it is unlike any enemy that we have ever, ever had before.

And I yield back to the gentlewoman.

Mrs. BLACKBURN. The gentleman is so correct in that, and for them it is a fierce war to bring down the pillars of free enterprise, to bring down those underpinnings of democracy that allow us to be a productive society, that allow us to be a free society.

I know that I join the gentleman from Georgia in looking forward to the debate we are going to have in this body this week, and I want to again thank the leadership for setting aside this time for us to focus once again on why we fight and why we must win and why it is imperative that we have a democratic ally in the Middle East and that we break apart the stranglehold that terrorism has had on that region of the world.

I thank the gentleman for the time, and I yield back to him.

Mr. PRICE of Georgia. I appreciate so much your participation tonight, and I join you in looking forward to our discussion and our debate on Thursday. We will spend the majority of the day here in the United States House of Representatives talking about the war in Iraq and talking about the war on terror and the importance of it and bringing a perspective that I think is so needed for the American people to see and appreciate as we recognize the longevity of the battle that has occurred already and the challenges that we have before us.

I am so pleased to be joined by my colleague from Georgia this evening, Congressman PHIL GINGREY, my good physician colleague from Georgia and also congressional colleague from Georgia. He is an individual also who recognizes the extreme importance of the support of our military forces and the gravity of the war in which we are engaged now, this war on terror.

I am pleased to have you join us tonight and yield to you.

Mr. GINGREY. I thank my colleague from Georgia for yielding. I certainly, certainly appreciate, Mr. Speaker, the Official Truth Squad that the gentleman has led, and particularly tonight in regard to this subject.

The gentleman spent 10 or 15 minutes actually going through a historical perspective, taking us, Mr. Speaker, all the way back to the 1960s, as he outlined the attacks that have occurred against this country, and made the point that this policy that we have had heretofore prior to our President's response to 9/11, on September 11, 2001, this so-called policy of containment that has proven itself to be a dismal failure because of these attacks, one right after another, as the gentleman pointed out, Khobar Towers, U.S.S. *Cole*, first attack on the World Trade Center, and finally leading up to the horrendous killing of over 3,000 people on September 11.

We didn't start this fight, Mr. Speaker; and I think that is the gentleman's point. It was just astounding to me to hear someone from the other side earlier this evening imply that we started this battle, that we have got no business defending freedom and standing up for the rule of law.

Edmund Burke once said that ''all that is necessary for the triumph of evil is that good men do nothing.'' And quite honestly, Mr. Speaker, over the last 40 years, as the gentleman from Georgia has pointed out, we basically did nothing. It was like turning the other cheek, or I dare you to do that again, or I double dog, even triple dog dare you to strike at us again, and on and on and on. And finally this President and this Congress had the courage to stand up and take it to the enemy. And I would point out that at that particular time, Mr. Speaker, this battle was not against any one individual but this was a long slog, that it was going to be tough, that the global war on terrorism would not end with just one battle.

It is so interesting, as we hear from the other side, that finally the tracking down and the killing of Zarqawi was almost a nonevent. It doesn't matter. They are going to replace him with someone just as terrible and we won't even notice the difference. That would be like saying that Knute Rockne was going to be replaced at Notre Dame, or a Lou Gehrig was going to be replaced by the New York Yankees and nobody would know the difference.

This guy was the worst of the worst. And I think that what we have done last week in killing Zarqawi is a tremendous accomplishment for our military, for the Iraqi people, for the intelligence that was brought to bear that led to the success and also, Mr. Speaker, in regard to the Iraqi Government finally, very carefully vetting individuals to place as ministers of defense, ministers of interior, and minister of their national security. These are huge items of success.

I want to say to my colleagues on the other side that we will, as the gentleman from Georgia has pointed out, we will discuss this thoroughly, and every Member in this body will have an opportunity to have their say about what we are trying to do and whether we support continuing this battle or whether we decide that it is time that, as the gentleman from the State of Washington said earlier this evening, to bring our troops home. I think it is very simple. I hear the Members on the other side of the aisle saying, well, the American people are against this, the American people have turned against this. Well, if that is the case, when we have this simple resolution on Thursday or Friday morning, then they will have an opportunity then to vote the way they think the American people want.

I, Mr. Speaker, refute that. I think the American people stand strong and understand that when you are in a contest, you don't say, we are going to play the game for 60 minutes, but if it happens to go into overtime then we are going to pull our team off the field because we don't want to go any further. This is what this is all about.

And, again, I want to thank the gentleman from Georgia for leading the Official Truth Squad. As he said at the outset, you are entitled to your own opinion, but you are not entitled to your own facts, and these are the facts that Congressman PRICE has brought to us as he outlined what has happened over the last 40 years.

It is time that we stood up. We are going to win this battle, and we want

to make sure that every Member of this body has an opportunity to vote yea or nay. So I commend the gentleman from Georgia, and I yield back to him.

Mr. PRICE of Georgia. I thank the gentleman for joining us tonight, and I appreciate your perspective and your commitment to our servicemen and -women and for the sober reflection that you gave on the situation that we find ourselves in today and the importance, the real importance of this war. And it is a real war. It is a real war, and you know and understand that as well as anybody.

I also appreciate your reminding folks again that on Thursday we will be spending time on this floor discussing the war on terror and the importance of it and why America has found itself in this situation, why it is important that we respond in the way that we have.

When I am at home, I hear people talk about the war in Iraq. And whenever I discuss this with some of my constituents, I oftentimes will say it is important for us to remember that this war in Iraq is really just the battle in Iraq in the larger war on terror. And the gentleman from Georgia just described it extremely well, that the policy of containment that we had used in the past, prior to 9/11, was a dismal failure. And so this is truly a war. It is a real war. It is a real war in which we must engage, and it wasn't of our choosing. It wasn't of our choosing, Mr. Speaker.

I want to spend the final few moments that I have to talk about an issue that is related to the war on terror and the battle in Iraq that we have right now, because you hear so many people say, how are we going to know when it is over? How are we going to know what victory is? How will we know when we win?

It is difficult. I understand that. It is difficult because this, again, is a war unlike any war we have ever had. Victory in Iraq will not come in the form of our enemy surrendering, because our enemy doesn't hold any territory. It is not like they can say, okay, I give up, I am not going to fight any more. And it won't be signaled by a single particular event.

For folks who remember past wars and past ends to past wars, there will be no Battleship *Missouri* signing. There will be no Appomattox signing. The ultimate victory in the battle in Iraq will be in stages. And I think it is important to point out that these stages have been defined by members of the military and members of this administration and have been articulated by the administration as well as members of the United States House of Representatives leadership and others.

□ 2315

And they have been defined in the short term, in the medium term and in the long term. I would like to run through those briefly because I think it is important for the American people to appreciate that yes, indeed, there are benchmarks that one can follow, and that we have made incredible progress, not just in the war on terror but in the battle in Iraq.

In the short term, we have an Iraq that is fighting the terrorists and neutralizing the insurgency, meeting political milestones, which they have done to a remarkable degree, building democratic institutions and standing up robust security forces. We hear over and over that those security forces number around 250,000, which is truly remarkable. They are destroying terrorist networks and maintaining security and tackling key economic reforms to lay the foundation for a sound economy.

So in the short term, those are the kinds of benchmarks that we should be looking at. Many of them have been accomplished.

In the medium term, an Iraq that is in the lead defeating terrorists and insurgents and providing its own security with a constitutional, elected government in place. Mr. Speaker, that is a medium-term goal that has been described for a number of years and in fact has now been accomplished, providing an inspiring example to reformers in the region, and well on its way to achieving its own economic potential.

And then in the longer term, Mr. Speaker, we will know that victory in Iraq has been obtained when an Iraq has defeated the terrorists and neutralized the insurgency, an Iraq that is peaceful and united and stable and democratic and secure where Iraqis have the institutions and resources that they need to govern themselves justly and to provide security for their own country, and an Iraq that is a partner, a partner in the global war on terror and the fight against the proliferation of weapons of mass destruction, integrated into the international community and an engine for regional economic growth and proving the fruits of democratic governments to the region.

Mr. Speaker, those are the kinds of benchmarks we ought to be looking at. There won't be a surrender. There won't be a signing. There won't be a waving of the white flag certainly by our enemy. We just hope Members in this body and across the Nation do not wave the white flag. This is an important battle. It is a part of the war on terror. It is imperative that we wage this with the vigor and enthusiasm and the spirit that we saw on the faces and heard in the voices of American soldiers as they greeted President Bush as he made his visit to Baghdad.

Mr. Speaker, America is a wondrous and a glorious nation. Freedom's light is strong here. We are a vessel of liberty and a beacon of hope to so many people around the world. The work that we do here is so important as we continue to provide that American leadership, international leadership, and show that light, show that light of freedom.

I am so proud to have the opportunity to stand here with my colleagues and to highlight some of the truthful and honest efforts that this government, this administration, this House of Representatives is taking to make certain that that vessel of liberty and that beacon of hope rings true around the world.

CROSSROADS IN IRAQ

The SPEAKER pro tempore (Mr. MACK). Under the Speaker's announced policy of January 4, 2005, the gentleman from Missouri (Mr. SKELTON) is recognized for the remaining time until midnight as the designee of the minority leader.

Mr. SKELTON. Mr. Speaker, tonight I wish to speak about Iraq, a separate and distinct war from the war on terrorism. Those who are terrorists with their genesis in Afghanistan have a goal of creating a fundamentalist Muslim caliphate all across the Middle East. The insurgents are Baathists and Sunnis in Iraq who have as their goal a separate and distinct one of toppling the government that is there and creating their own.

My friends on the other side of the aisle wish to confuse the battle against terrorists and the battle against insurgents in the country of Iraq. Tonight I wish to speak about Iraq because we are at a strategic crossroads as a Nation regarding that war.

I wish to speak about the health of our military that is being drained by the war in Iraq. As a matter of fact, we are sustaining a battalion's worth of casualties every month wounded and killed in Iraq and Afghanistan. The number of attacks on the American and allied forces is at the highest level since the insurgency began despite the increase of America combat operations and the introduction of some 40 new Iraq security forces and battalions.

An ABC poll shows that 60 percent of Americans disapprove of the situation in Iraq. What is responsible for us arriving at this point? I have to say a lot of good words about our military, the finest we have ever had, they are doing a superb job. I am proud of them, and every American should be. But there have been operational strategic mistakes sadly made by the administration that has brought us to this point at a crossroads in Iraq.

First, allowing the looting; second, not having a plan for the aftermath, although duly warned; by dismissing the Iraqi Army rather than giving them a paycheck and a shovel; failure to plan and have American civilian professionals from the State Department, Transportation Department, Agriculture Department, and Judiciary with the right skills to advise the Iraqis when they took over their governmental ministries; the failure to react to the wartime collapse of the Iraqi military and security police forces; and the decision to disband the Army, as I mentioned; failure to have a

sufficient number of American troops at the beginning and later as General Eric Shinseki warned.

This is a year of transition in Iraq. The bill that we passed last year, the defense bill, stated that calendar year 2006 should be a period of time of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of the United States forces from Iraq.

If we are not able to redeploy our forces from Iraq, the health of our military will be seriously endangered. We are wearing the troops out. Not just the troops, but the equipment. As a matter of fact, Mr. Speaker, 13,849 members of the selected reserves have had three deployments, and 10,408 have been deployed more than three times. Well, where do we go from here?

We have to do our best to train those Iraqis, let them and their government know that the ball is in their court. We have to make sure they are properly equipped, and I might also say that the equipment of the Army and Marines Corps ground equipment is wearing out. Some of it is wearing out from two to nine times the peacetime rate.

We have global interests, potential threats from elsewhere, North Korea, Iran, Taiwan Straits and the like. We must be prepared for any future threat. That is why it is important that this be a transition year, 2006.

Mr. Speaker, at this time I yield to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I thank the gentleman for yielding and I want to commend his efforts as the ranking Democrat on the Armed Services Committee for making sure, as other Democratic members have, that the men and women who serve this country get the equipment that they need to succeed. Many of us were stunned to see so many of our men and women put into harm's way without having enough uploaded Humvees and Kevlar vests.

I also want to acknowledge the gentleman for considering the casualties that we are taking. I believe the gentleman said a battalion per month. A battalion per month.

What effect is this going to have on the long-term implications for national security and our military? One of the things a country has to do in a time of war is tell the truth about what is happening in Iraq and Afghanistan. Yet the administration continues to think that the American people cannot handle the truth or do not want the truth. We experience setbacks. We have strategies that do not work. They continue to tell us we should stay the course and everything will be all right. We have no accountability on the part of the Congress, either the House or the Senate, to hold the administration accountable for what their policies are or aren't.

Members of the Armed Services Committee tonight, Democrats on that committee that have served on the committee traveled, I think every Democrat has been to Iraq at least twice, will follow me and tell you that the administration is simply not being candid, honest and truthful with the American people about the situation in Iraq. As Mr. SKELTON indicated, we went into Iraq without enough troops. General Shinseki told us we were going to need a few hundred thousand troops. What did they do at the Pentagon, they put him out to pasture as if he did not know what he was talking about.

The reality is that the situation in Iraq is deteriorating. Mr. SKELTON talked about the insurgency in Iraq. Ninety to 93 percent of the insurgents in Iraq are from within Iraq. There is an outside group of somewhere between 8 and 10 percent terrorists that have come over the border. It makes you wonder why the President said to every terrorist in the world, Bring it on. Bring it on.

There are more attacks today in Iraq by the insurgency than ever. The situation is growing worse because the insurgency is growing stronger. Sectarian violence is becoming more common, and violent crime is on the rise. I am not just saying these things, the facts support these things. Despite the claim that the available combat power of the Iraqi security forces is increasing and the operational tempo has significantly stepped up, violent insurgent attacks have increased every month this year. That is a fact.

Violent crime in Baghdad is at its highest level since August 2003. That is a fact.

Insurgent attacks have increased every month this year, and that is a fact. But we keep hearing about how things are getting better. Insurgency is as large today as it has been at any point in Iraq. That is a fact.

The administration has been stressing to us that reconstruction is going well and that progress is being made, and certainly in some parts of the country that is true. But you cannot look at the totality of the circumstances and say that the administration is being honest or truthful with the American people.

While we debate here tonight, residents of Baghdad receive 3.9 hours of electricity per day. Let me repeat that: 3.9 hours of electricity per day. So it is great that those satellite dishes are up, but people are unable to use them. Before the war, people in Baghdad could depend on 16 to 24 hours a day of electricity, and this past month, it is only 17 to 20 percent of the prewar output.

It is really hard to focus on democratization when you live by candlelight and cannot store your food. Drinking water is not readily available either. Back in 2003, the Coalition Provisional Authority stated that the goal was to have 23 million of the 26 million Iraqis with access to potable water.

□ 2330

Do you know where we stand today in that goal? Just a little over 8 million Iraqis have safe access to drinking water. This is significantly lower than pre-war levels and about a third of what the CPA was aiming at. We have failed to do our jobs in terms of providing electricity, providing the water, providing the economic development, providing jobs. Any country in the world with a 40 percent unemployment rate is going to have an insurgency.

Now, maybe the administration could point to success in building a train station, but we can't have success without providing the necessities of life. So the administration talks about how much safer things are. But the reality is, if you look at the facts, you see that staying the course is just not an option for the United States. We have to look at the facts. We have to look at the fact that the challenges in Iraq are growing every day. Our military is stretched to the limits. 20,000 Americans, brave American soldiers have either been injured, seriously injured, or have been killed. So what we would like is a debate on Iraq, not some kind of political statement that merges Iraq with Afghanistan, with Spain, with London, and put it all together and call it the war on terror and say we support our troops. We all want to win the war on terror. We all want to make sure that we support our troops. But we really ought to have a discussion of what is going on in Iraq. And there are members of the Armed Services Committee who have been trying to get that discussion, trying to get that accountability who are here today. And I want to yield to the gentlewoman from California to continue this discussion.

Mrs. TAUSCHER. I thank the gentleman for yielding. I think many of us find ourselves deeply distressed that we are here to talk about a so-called week about the war on terrorism when we were promised months ago by the majority leader a debate on Iraq.

There is a convergence here of themes that have been deeply disappointing to me for well over the last 2 years, as I saw the administration begin to use terms like the ''global war on terror'' to begin to cover for what has clearly been a mistake in Iraq. I am here tonight because I believe it is high time for a change of direction in Iraq.

I honor the sacrifice of our fighting men and women and their families. With 2,498 American deaths in Iraq today since the beginning of the military operations, it is time that the Bush administration finally levels with the American people. I think we first have to go back to where, the beginning, to when, after the September 11 attacks and after this House, Democrats, Republicans, along with the Senate and the American people, agreed that we had to topple the government, the Taliban government in Afghanistan that had harbored the al Qaeda terrorists that had attacked us on September 11.

And after we took that government out and began to move that operation

toward, hopefully, a successful Afghanistan, we began to hear the drumbeat of talk out of the administration that Iraq was a big threat to us, that we had mushroom clouds in our future, that this was a country with a leader in Saddam Hussein who was an imminent threat to the United States. Many of us in the post-September 11 time believed that we had to do something more than just fly flights over Iraq and deal with those issues that we had to really move and to do things to create the kind of coalition of not only the willing but the capable that we had when George Bush's father went after Saddam Hussein in the first gulf war.

The real issue right now is what have we done in Iraq to make sure that we can actually succeed. And I think that what we have, unfortunately, has been a number of mistakes by the civilian leadership in the Pentagon. We have heard them all before. The litany is long and getting longer. It begins with not really understanding the context of Iraq. It begins with not really understanding that we needed more troops on the ground after we took Saddam Hussein's government down than we actually need to do the taking down of the government.

It began with not really understanding the context and the construct of those, the sects in Iraq and the enmity and the fear and the kind of reprisals that you would see if the Sunni minority that had been in power during the Saddam time actually had the Shiia come back into power and realized how badly they had been treated for 25 years. We have had multiple governments in Iraq, and this mission has morphed and constantly been redefined by the administration to fit the latest catastrophe.

What I really hope we can do over the next few days is have a Democratic position begin to emerge. Our friends on the other side like to talk about truth. And Daniel Patrick Moynihan did have that great saying about people can have their own opinion, but they can't have their own set of facts. Well, my grandmother from Ireland used to tell me that saying it doesn't make it so. And what is really clear is that we have to have a movement forward by this administration to not only admit the mistakes that have been made, but to be sure that we actually can bring our troops home sooner and safer. We want to honor the sacrifice of our troops, but at the same time we want to bring them home sooner and safer.

I am happy to yield to my colleague from New Jersey who is going to continue this conversation, Mr. ANDREWS.

Mr. ANDREWS. I thank my friend for yielding. The job of the American troops in Iraq is to fight for the cause for which we have sent them to fight, and they are doing an honorable and brave and magnificent job; and we are all proud of them and we all support them. The job of the President, as the leader of the executive branch and the Commander in Chief is to make policy decisions as to how and where to use those forces. And we have grave doubts about whether he has made the right decisions in Iraq. In fact, the record shows he has made a series of poor decisions that put the country in great trouble.

But the job of the Congress is to oversee and ask the questions as to whether the policymakers in the executive branch, from the President on down, are doing the job that we want them to do. This Congress, this majority in Congress has failed to do that job, has failed to ask the questions that need to be asked:

Why did the Pentagon ignore the advice of the Chief of Staff of the Army, General Shinseki, and send fewer than half the number of troops that he recommended? Why did the administration ignore the advice of their own State Department experts and immediately disband the Baathist Party, the whole thing? Why did they further ignore the advice of those experts and disband the Iraqi Army, the whole thing?

Why did they not guard the ammo dumps that are now providing the fire power that is making IEDs that are killing Americans every day? Why did they not properly set up supervision of the prisons so that we have the national scandal of Abu Ghraib and the grave damage it has done to the reputation of this country around the world?

And I think the central question that vexes us tonight is why have we still not organized our intelligence functions on the ground such that we can't predict and stop the actions of maybe 25,000 people in a country of 24 million people? Why is it that the resistance is always a step ahead, that the ability to stop them is a rare occurrence? The fact of the matter is the Congress hasn't done the job that it needs to do because the majority is serving as a rubber stamp for the policies of the administration, rather than as a coequal branch asking the tough questions that ought to be asked.

Let's start with these: Do we have the intelligence forces on the ground to figure out where the resistance fighters are, who the resistance fighters are, and what they might do next? Have we reached out to our allies in the Arab and Muslim world who deal with this problem on a daily basis to get the best of their practices and the best of their advice? The numbers of Iraqi forces, we were told before the 2004 election in this country, that several hundred Iraqi security forces were trained and ready to step up and defend their own country. Rather than growing, it seems that number is shrinking. It dropped precipitously after the 2004 election in this country. It has never been predictable. It has never been stable. It has never been measurable.

The job of the Congress is to ask the hard questions and come up with the right answers. But if you deny the fact that the questions have to be asked, as the majority has, you will never come up with the right answers. You will lose the faith of the American people, and you will undercut the mission of those in the field. We support, respect, and admire the efforts of those in the field. That is why we should be asking the hard questions.

I would like to yield to my friend from California who is not only asking good questions but providing some of the answers, my friend Mrs. DAVIS.

Mrs. DAVIS of California. I want to raise an issue that I think has really not gotten a lot of attention, and that is the fact that our troops have been asked to play roles that they really didn't train for. One moment our troops are being asked to work with civilians in Iraq and with the local governments. They are being asked to teach them negotiating skills. And then in the next minute, they are being asked to go outside and control the chaos that is swarming in the streets. Well, you know what? We know that our soldiers have answered these calls, and they do it better than anyone could have ever expected them to. But the fact that they have had to perform these different roles is disturbing evidence of the way the President and his civilian leaders have planned so poorly for this war and the aftermath that we are still in today.

But don't listen to me. Listen to General McCaffrey who has made numerous trips to Iraq and to Afghanistan and he has publicly stated that that critical interagency coordination that was really important to get the kind of provincial reconstruction themes are just beginning to emerge now up and running. What disturbs me is not just the fact that our military has been asked to perform those tasks; but in the place of people who should have been performing those tasks, we have very inexperienced and young individuals who really have never played that role before.

So just now we see some changes; we see that they are trying to put together the right Foreign Service officers in the field. Even today, Secretary Rice said she is still struggling to do that in many cases. What was needed was a plan for post-occupation Iraq that honored the sacrifices of our troops. And instead they have been given this burden unnecessarily and at great cost.

I join in applauding my colleagues, as we all are, trying to raise the facts and the realities of Iraq today. And I yield to Mr. SKELTON.

Mr. SKELTON. I thank the gentlewoman from California. This is the year of transition. It is up to the Iraqi people. It is up to the Iraqi Government. It is up to the Iraqi forces. They are going to have to take it upon themselves with the assistance of the wonderful Americans that are there to make this transition work.

I yield to the gentleman from Arkansas, Dr. SNYDER.

Mr. SNYDER. Last week, Mr. Speaker, all 28 Democrats of the House

Armed Services Committee signed a letter to Chairman DUNCAN HUNTER asking for the reinstatement of the Subcommittee on Oversight and Investigations. Now why do we do this? Because 10 years ago when the Republicans took over control of Congress that subcommittee on the House Armed Services Committee was eliminated and the intent was that oversight, bipartisan oversight was to be conducted by the other subcommittees. That has been a failure and we have seen that as members of this committee, some of us for almost a decade now. It has been a failure particularly during this time that our Nation is at war.

Our troops deserve the kind of effective government oversight that they deserve. So what are we talking about? We have had corruption, we have had fraud, we have had gross mismanagement; and it undermines the war in Iraq. Anthony Cordesman, the noted expert from CSIS, concluded that we have wasted about half of the $22 billion of U.S. funds that have been spent so far in reconstruction, and much of the $34.6 billion of Iraqi funds. The Special Inspector General for Iraq reconstruction concluded that ''corruption is another form of insurgency in Iraq.'' So what are we talking about? We have spent about $1.8 billion on electricity reconstruction projects, but the prewar capacity has not yet been reached for electricity generation.

We have spent $650 million of USAID money on oil production infrastructure, but we still have not reached the pre-war level production capacity. We have spent about $690 million of U.S. dollars on water and sanitation projects in Iraq, and yet the percentage of Iraqis with access to drinkable water has fallen to 32 percent from the prewar level of 50 percent, and the percentage of Iraqis with access to sewer and sanitation has dropped from 24 percent to 20 percent.

Here is the problem: our troops are dying and bleeding to give the Iraqi people a chance to do well for themselves and their family, to have drinkable water, to have a safe place to raise children, to have the kind of electricity and the kind of things they need for modern civilization. And yet, because of the inadequacies of the way the administration is conducting the war and monitoring the payments of these monies, that work is not getting done and the Democrats on the House Arms Services Committee are saying tonight we have got to do better.

I would now like to yield to Mr. RICK LARSEN from the State of Washington, also a member of the House Armed Services Committee.

Mr. LARSEN of Washington. I rise today as we reexamine why Congress and the administration diverted attention from our fight against terrorists and terrorism in order to invade Iraq.

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The current administration has gotten too many things wrong in Iraq and has totally misinterpreted the lessons of the post-9/11 world. It is up to Democrats to get things right in Iraq so we can refocus our military efforts to fighting terrorists around the world who want to harm us.

Today I ask my colleagues: Will we realistically confront terrorists and terrorism with all the elements of our national power, or will we continue to ignore a proven approach to follow a shop-worn, idealistic approach that drains our military of its resources and America of its good will with the very partners that we need to fight terrorism? That is the choice our country faces.

The administration has made countless mistakes since the start of the war in Iraq. As Congress looks to clean up the mistakes that have been made, Democrats must speak out against this administration's tendency to overlook problems and instead push for a policy that centers on oversight of U.S. taxpayer dollars. We must respond to the public's frustrations by creating a secure future for our military and reestablish a foundation for American efforts to fight terrorists and terrorism around the globe.

We can only do that by confronting and repairing the waste, fraud, and abuse that plagues our efforts in Iraq. We need to emphasize that our commitment to U.S. taxpayers is equally as important as the commitment we have made to the Iraqi people.

I ask the American people to consider the legacy this administration has handed us in the defense budget as we spend billions of U.S. taxpayer dollars without the tools and ability to track these dollars. Will we tolerate the squeeze that will force choices between weapons and warriors because of a lack of administration foresight and lack of congressional oversight? I believe the answer is no.

We must consider the legacy of waste, fraud, and abuse in Iraq. Why are we not getting results for our taxpayer dollars? We do not know because the institution endowed by the Constitution that is responsible for protecting your taxpayer dollars is practicing overlook instead of oversight. Parents who are monitoring their children on the Internet are providing more oversight than the United States Congress.

We learn of events and stories through the media once the waste, fraud, or abuses have reached comic proportions. We know that Halliburton has overcharged both the U.S. Government and the Development Fund for Iraq by over $260 million. The Department of Justice brought criminal indictments against a former CPA contracting official and a contractor for a series of frauds costing taxpayers $13 million, and the CPA lost control of $19.6 billion in Iraqi oil funds.

As Congress overlooks expenditures of billions of U.S. taxpayer dollars in Iraq, it ignores responsibility to provide a secure future for our military.

Just in closing, I join my colleagues in commending our U.S. military working in conjunction with Iraqi security and Iraqis themselves for locating and eliminating Abu Musad al-Zarqawi. His terrorist violence is gone. But we have learned in Iraq that fighting a ''classic guerrilla-type war'' means that a victory like killing Zarqawi cannot be celebrated too long. Much remains to be done in Iraq, and Democrats have to make right where the administration has gone wrong. Our obligations compel us to ask the tough questions that are currently ignored.

Mr. SKELTON. Mr. Speaker, at this time I yield to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I thank my friend, the gentleman from Missouri, for yielding.

This is a very, very important subject. We, the members of the House Armed Services Committee, support our troops and we are for victory in Iraq, Afghanistan, and in the global war on terror. We welcome the recent good news. We are glad that they took out Zarqawi. But there is more work to be done.

I also serve on the House Committee on the Budget. I am particularly interested that we pay for this war, that we do not borrow the money to support our troops from China and Iran and nations like that because those nations are increasingly large creditors of our country at a crucial time when we do face a global war on terror.

And where are we getting so much of this money to fund this war? From foreign nations. Where are the war bonds for this war? Where are we borrowing from our own people to pay for this war? What are we paying with for our troops? It is simply not being done by this administration.

But I am joined tonight by two outstanding military veterans who are also members of the House Armed Services Committee. First to speak is the gentleman from Texas, Mr. SOLOMON ORTIZ, who has got terrific experience not only in the military but in preparing our troops for war.

Mr. ORTIZ. Thank you so much, JIM.

Tonight we want to begin an honest discussion about where this Nation stands in the war that we are prosecuting. And I think that we owe this to the young men and women whose lives are on the line each day, their families, their futures.

Supporting the troops has got to mean more than bumper stickers on pickup trucks, my friends. We need to give them what they need. You know, it wasn't too long ago when my good friend Congressman REYES and I and about eight other bipartisan Members took a trip to visit 25 military bases around this country. In 4 days we visited 25 bases that were in deplorable condition. We were here in this facility on 9/11 having a press conference to let the American people know where we stood and the conditions of the bases that we inspected, the infrastructure.

A few minutes after that, a plane struck the Pentagon. We never were able to give the American people the conditions of the military bases.

I have been to Afghanistan, and I have been to Iraq. But nobody has been to Iraq more than my good friend Congressman REYES. And I would like for him to give us an assessment. He is a veteran. He has been to Iraq more than any other Member. My friends, let us be honest with the American people and tell the American people what we need to do.

Mr. REYES. Mr. Speaker, tonight we start what I hope is the first of a series of honest discussions with the American people, something we have been unable to do up to now.

There are a number of issues, a number of problems with where we find ourselves as a Nation tonight. One of the biggest problems is we have not shared the sacrifice.

As we speak here tonight, 2,498 of our Nation's finest have been killed in Iraq and Afghanistan; 18,000 have been wounded with over 8,500 unable to return back to duty.

Do we honor and revere and love our troops? Absolutely. Do we respect and honor the sacrifices that their families have made and are making? Absolutely. Are we concerned about those that are yet to fall, those that are yet to come back with wounds? Absolutely.

Part of the debate that we want to have on this particular issue is to make sure that we do not debate other auxiliary things except Iraq. Iraq is the area, ground zero, for the kinds of issues that we are dealing with, the kinds of things that my colleagues have spoken about tonight. The kinds of things we have failed to do as a Congress in exercising our oversight responsibilities.

I have been to Iraq six times, to Afghanistan 12. I have visited with our troops. I have seen them. I have shared the environment that they share. As a veteran who served 13 months in Vietnam, which seems like in a different era, I can relate to the kinds of things that are going on in the theater of combat. But the one thing that has been missing for us, in my opinion, has been the ability of this Congress to hold the administration accountable, to do the oversight that is necessary and so vitally important. That is the debate that we want to have on this very important topic.

So with that, my good friend and colleague, a member of the Armed Services Committee, Congressman UDALL, will now speak.

Mr. UDALL of Colorado. Mr. Speaker, I know the hour draws near, and we have to conclude the day's business. And I want to join my colleagues from across the country who serve with me on the Armed Services Committee to make the point that this is just the beginning of this discussion. We have not had time tonight to talk about recruiting and retention and the developments that have occurred in those areas. We have not talked about equipment and the need to replenish the equipment that not only the active duty force is using and leaving behind but the National Guard as well.

I know my colleague Mr. COOPER from Tennessee hears, as I do, from returning soldiers and marines about all the equipment that is not coming home that would be available in my part of the country to fight fires and respond to natural disasters, to help on our border in the southern regions. Just recently I had a chance to visit with the Marine Corps leadership; and if I am not mistaken, the number that they shared with me that is necessary to replenish all the equipment that the Marine Corps is leaving behind is on the order of $5 billion, a very significant number.

So I know we want to leave a little bit of time for Mr. SPRATT and Mr. SKELTON to conclude, but I hope that this discussion will continue, particularly that we can focus on the real changes we face when it comes to retention and recruiting; and I know my good friend Mr. SKELTON is well aware of this in the part of our country in the Midwest.

Mr. SKELTON. Mr. Speaker, I thank the gentleman.

Victory in Iraq is of primary importance. But it is really up to the Iraqi Government, the Iraqi security forces, and the Iraqi people. We are and we have been doing and, of course, we will continue to be of great assistance. The primary importance is that the Iraqis assume more and more of their own security and of their own destiny.

Mr. Speaker, I now yield to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I thank Mr. SKELTON for yielding.

Mr. Speaker, the mission in Iraq has been plagued from the start by poor intelligence, by poor planning for the post-war, and by disdain for the advice from our allies and even our officials. Ignoring the Army's Chief of Staff, the Secretary of Defense deployed too few troops, failing to foresee the insurgency that followed the war. Many of those deployed were not properly equipped with body armor or armored vehicles, forced to improvise in the field. The troops were assigned duty that they were not trained for. But let me add here they have performed magnificently. They rose to the challenge. They showed they still have that GI genius for field expedience. They improvised.

But the lack of planning and the lack of preparation has cost us dearly; 2,514 Americans have paid the ultimate price: they have died. 17,774 have been seriously wounded.

Since this is the end of the debate, let me go to the bottom line. First of all, let me say the most important cost we have incurred is for the precious lives that were lost, 2,514; 1,774 who were wounded. But the costs also are considerable. They are not a determinant, obviously. We have troops in the field and are unstinting in our support of them. But when the costs run into hundreds of billions of dollars, they have to be considered.

Here is what the cost of the first Persian gulf war was: $61 billion. Of that our allies chipped in in kind $10.6 billion, in cash $48 billion. The total cost to the United States out of pocket was $2.1 billion. That is what happens when you form a real coalition and have allies and do not go it alone.

Here is what happens when you go it alone. This has been the ascending cost of the war in Iraq, Iraqi Freedom: starting out at $51 billion, it rose to $77 billion in 2004, to $87 billion in 2005, and to $100.4 billion this year, the estimated cost. And here is what the cost per month is: $8.4 billion. That is what the current cost works out to. That is a burn rate in Pentagon jargon; $8.4 billion a month is the cost of the war currently.

Finally, adding all of that up, through the year 2006, you can see that the cost of Operation Iraqi Freedom has been $318.5 billion. The cost is not the determinant. We can afford whatever it takes to defend this country. We want to be, as I said, unstinting in support of our troops. But when the cost gets to be $318 billion, $8.4 billion a month, it has to be a consideration. And that is similarly what we are saying tonight.

The President spoke several weeks ago and said that probably his successor in 2010 would be the person who decides whether or not and when American troops would be redeployed. He did not even mention the cost of the current undertaking. It is not just a dollar cost. It is an opportunity cost. For every dollar consumed here is a loss of dollars otherwise that could be spent on modernization and on the transformation of our forces.

Last year when we passed the Defense Authorization Act for 2006, the House and Senate, and the President by signing the bill, enacted a provision that 2006 would be the year of transition, when Iraqi troops would begin to take primary responsibility.

This is simply what we are calling on the President to do, to begin moving us in that direction as we resolved we should have done last year, particularly in view of the cost.

Mr. SKELTON. Mr. Speaker, I thank the Speaker for allowing us to speak tonight. This is a very, very important debate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MANZULLO (at the request of Mr. BOEHNER) for today and June 12 on account of wife's surgery.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for June 12 on account of a travel delay due to a mechanical malfunction.

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 Mrs. TAUSCHER) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. ROSS, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. HAYES) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, June 20.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

ADJOURNMENT

Mr. SKELTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, June 14, 2006, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 109th Congress, pursuant to the provisions of 2 U.S.C. 25:

BRIAN P. BILBRAY, California, Fiftieth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8014. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Mortgagee Time Limits for Supplemental Claims for Additional Insurance Benefits [Docket No. FR-4957-F-02] (RIN: 2502-AI31) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8015. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Change in Default Reporting Period [Docket No. FR-4916-F-02] (RIN: 2502-AI20) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8016. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Truth in Savings (RIN: 3133-AC57) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8017. A letter from the Chief, U.S. Army Freedom of Information Act and Privacy Office, Department of Defense, transmitting the Department's final rule — The Freedom of Information Act Program (RIN: 0702-AA45) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8018. A letter from the Acting Senior Procurement Executive, (OCAO), GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-09; Introduction [Docket FAR-2006-0023] received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8019. A letter from the Regulatory Contact, National Archives and Records Administration, transmitting the Administration's final rule — National Historical Publications and Records Commission Grant Program (RIN: 3095-AB45) received May 19, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8020. A letter from the Chairman, National Indian Gaming Commission, transmitting the Commission's final rule — Freedom of Information Act Procedures (RIN: 3141-AA21) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8021. A letter from the Acting Director, Office of Government Ethics, transmitting the Office's final rule — Revisions to the Executive Branch Confidential Financial Disclosure Reporting Regulation (RIN: 3209-AA00) (RIN: 3209-AA09) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8022. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No. FAA-2004-19680; Directorate Identifier 2003-NM-215-AD; Amendment 39-14558; AD 2006-08-04] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8023. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200C and -200F Series Airplanes [Docket No. FAA-2005-22423; Directorate Identifier 2005-NM-068-AD; Amendment 39-14556; AD 2006-08-02] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8024. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes Powered by Pratt & Whitney Engines [Docket No. FAA-2004-19140; Directorate Identifier 2004-NM-84-AD; Amendment 39-14548; AD 2006-07-21] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8025. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Model Avro 146-RJ Airplanes [Docket No. FAA-2006-23840; Directorate Identifier 2005-NM-232-AD; Amendment 39-14549; AD 2006-07-22] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8026. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes [Docket No. FAA-2005-22471; Directorate Identifier 2005-NM-142-AD; Amendment 39-14550; AD 2006-07-23] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8027. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 and -300 Series Airplanes [Docket No. FAA-2005-20688; Directorate Identifier 2004-NM-165-AD; Amendment 39-14551; AD 2006-07-24] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8028. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-11, DC-8-12, DC-8-21, DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, and DC-8-43 Airplanes, Model DC-8F-54 and DC-8F-55 Airplanes; Model DC-8-50, -60, -60F, -70, and -70F Series Airplanes; Model DC-9-10, -20, -30, -40, and -50 Series Airplanes; Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), and DC-9-87 (MD-87) Airplanes; and Model MD-88 Airplanes [Docket No. FAA-2005-20797; Directorate Identifier 2004-NM-256-AD; Amendment 39-14552; AD 2006-07-25] (RIN: 2120-AA64) Received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8029. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospatiale Model ATR42 Airplanes [Docket No. FAA-2006-23816; Directorate Identifier 2005-NM-247-AD; Amendment 39-14553; AD-2006-07-26] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8030. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No. FAA-2004-19866; Directorate Identifier 2004-NM-25-AD; Amendment 39-14541; AD 2006-07-14] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8031. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No. FAA-2006-23798; Directorate Identifier 2005-NM-162-AD; Amendment 39-14543; AD 2006-07-16] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8032. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727, 727C, 727-100, 727-100C, and 727-200 Series Airplanes [Docket No. FAA-2006-23672; Directorate Identifier 2005-NM-237-AD; Amendment 39-14544; AD 2006-07-17] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8033. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120, -120ER, -120FC, -120QC, and -120RT Airplanes [Docket No. FAA-2006-23674; Directorate Identifier 2005-NM-234-AD; Amendment 39-14545; AD 2006-07-18] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8034. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospatiale Model ATR42 Airplanes and Model ATR72 Airplanes [Docket No. FAA-2006-23635; Directorate Identifier 2005-NM-245-AD; Amendment 39-14546; AD 2006-07-19] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Makila 1 A2 Turboshaft Engines [Docket No. FAA-2006-24239; Directorate Identifier 2006-NE-09-AD; Amendment 39-14547; AD 2006-07-20] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8036. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2006-24252; Directorate Identifier 2006-NM-062-AD; Amendment 39-14528; AD 2006-05-11 R1] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8037. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2005-21593; Directorate Identifier 2002-NM-328-AD; Amendment 39-14537; AD 2006-07-10] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8038. A letter from the Deputy Chief Counsel, Regulations, Department of Homeland Security, transmitting the Department's final rule — Air Cargo Security Requirements [Docket No. TSA-2004-19515; Amendment Nos. 1520-4, 1540-7, 1542-2, 1544-5, 1546-2, and 1548-2] (RIN: 1652-AA23) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

8039. A letter from the Director, Regulatory Management Division, Office of Executive Secretariat, Department of Homeland Security, transmitting the Department's final rule — Changes to the Procedures for Notifying the Public of Premium Processing Service Designations and Availability [DHS Docket No. USCIS-2005-0038; CIS No. 2367-05] (RIN: 1615-AB40) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 372. Resolution recognizing the 50th Anniversary of the Interstate Highway System; with amendments (Rept. 109–499). Referred to the House Calendar.

Mr. OXLEY: Committee on Financial Services. H.R. 5117. A bill to exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students (Rept. 109–500). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINCOLN DIAZ-BALART of Florida. Committee on Rules. House Resolution 865. Resolution providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–501). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. REYNOLDS (for himself, Mr. ENGLISH of Pennsylvania, Mr. HAYWORTH, Mr. WELLER, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. LINDER, Mr. SWEENEY, Mr. MCCOTTER, Mr. WILSON of South Carolina, Mrs. JO ANN DAVIS of Virginia, Mr. SCHWARZ of Michigan, Ms. HARRIS, Mr. TIBERI, Mr. FERGUSON, Mr. MCHUGH, Mrs. DRAKE, Mr. GARRETT of New Jersey, Mr. GILLMOR, Ms. GINNY BROWN-WAITE of Florida, Mr. CONAWAY, Mr. KINGSTON, Mrs. MYRICK, Mrs. BONO, Mr. SESSIONS, Mr. WESTMORELAND, Ms. JACKSON-LEE of Texas, Mr. KUHL of New York, Mr. SIMMONS, Mr. SMITH of Texas, Mr. WICKER, Mrs. KELLY, Mr. KLINE, Mr. KENNEDY of Minnesota, Mr. MURPHY, and Mrs. BIGGERT):

H.R. 5590. A bill to amend the Internal Revenue Code of 1986 to provide individuals relief from the alternative minimum tax; to the Committee on Ways and Means.

By Mrs. TAUSCHER (for herself and Mr. GEORGE MILLER of California):

H.R. 5591. A bill to name the national cemetery being constructed in Dixon, California, as the ''Solano National Cemetery''; to the Committee on Veterans' Affairs.

By Mr. WELLER:

H.R. 5592. A bill to amend the Energy Policy Act of 1992 to direct the head of each Federal agency to ensure that, in areas in which ethanol-blended gasoline is reasonably available at a generally competitive price, the Federal agency purchases ethanol-blended gasoline containing at least 10 percent ethanol rather than nonethanol-blended gasoline, for use in vehicles used by the agency that use gasoline; to the Committee on Government Reform.

By Mr. SMITH of Texas (for himself, Mr. BERMAN, and Mr. CONYERS):

H.R. 5593. A bill to amend title 17, United States Code, to provide for the partial distribution of royalty fees in certain circumstances; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Mr. UDALL of Colorado, Mr. WAMP, Mr. EHLERS, Mr. BOEHLERT, Mr. BROWN of Ohio, Mr. BACHUS, Mr. DOGGETT, Mr. SIMMONS, Mr. MCCAUL of Texas, Mr. BARTLETT of Maryland, Mr. CARDIN, Mr. BASS, Mr. HAYWORTH, and Mr. BUTTERFIELD):

H.R. 5594. A bill to direct the Secretary of Energy to establish a photovoltaic demonstration program, and for other purposes; to the Committee on Science.

By Mr. FOSSELLA (for himself, Mr. CROWLEY, and Mr. REYNOLDS):

H.R. 5595. A bill to authorize the Urban Areas Security Initiative Grants Program of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. GILLMOR:

H.R. 5596. A bill to provide for a special enrollment period in 2006 for enrollment under the Medicare prescription drug 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. GREEN of Wisconsin:

H.R. 5597. A bill to amend the Immigration and Nationality Act to render deportable all aliens convicted of a criminal offense resulting in a sentence of incarceration, and for other purposes; to the Committee on the Judiciary.

By Mr. GUTIERREZ (for himself, Mr. MORAN of Virginia, Mr. HONDA, Mr. FARR, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Mr. FRANK of Massachusetts, Mrs. CAPPS, Ms. LEE, Mr. MILLER of North Carolina, Ms. WOOLSEY, Mr. MCGOVERN, Mr. STARK, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. MEEHAN, Mr. CROWLEY, Mr. NADLER, Ms. SCHAKOWSKY, Mr. WYNN, Mr. BROWN of Ohio, Mr. JEFFERSON, and Mr. LARSEN of Washington):

H.R. 5598. A bill to prohibit departments, agencies, and other instrumentalities of the Federal Government from providing assistance to an entity for the development of course material or the provision of instruction on human development and sexuality, if such material or instruction will include medically inaccurate information, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH:

H.R. 5599. A bill to require the Government Accountability Office to submit a report to Congress on the compliance of the United States Postal Service with procedural requirements in the closing of the postal sorting facility in Aberdeen, South Dakota, and for other purposes; to the Committee on Government Reform.

By Mr. PASCRELL (for himself, Mr. DOYLE, Mr. KUCINICH, Mr. BISHOP of Georgia, Ms. JACKSON-LEE of Texas, Mr. CONYERS, Mr. CLEAVER, and Mr. WYNN):

H.R. 5600. A bill to amend the Internal Revenue Code of 1986 to reduce the earned income threshold applicable to the refundable portion of the child tax credit, to increase the age limit for such credit, and to impose an individual income tax surcharge; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. DOYLE, Mr. CLEAVER, Ms. NORTON, Mr. PAYNE, and Mr. WYNN):

H.R. 5601. A bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself, Mr. THOMPSON of California, Mr. RYAN of Wisconsin, Mr. KLINE, Mr. MCDERMOTT, Mr. WELLER, Mr. HERGER, Mr. JEFFERSON, Mr. EVANS, Mr. BLUMENAUER, Mr. MEEKS of New York, Mr. CROWLEY, Mr. CARDOZA, Mr. CASE, Mr. CUELLAR, Mr. DICKS, Mr. EMANUEL, Ms. ESHOO, Mr. HINOJOSA, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. LEACH, Mrs. BIGGERT, Mrs. JOHNSON of Connecticut, Mr. MCCRERY, Mrs. TAUSCHER, Mr. LEWIS of Kentucky, Mr. KOLBE, Mr. MATHESON, Mr. BOSWELL, Mr. CRAMER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MALONEY, Mr. SERRANO, Mr. SKELTON, Mr. BRADY of Texas, Mr. DREIER, Mr. DAVIS of Alabama, Mr. KIND, Ms. HOOLEY, and Mr. GILCHREST):

H.R. 5602. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam; to the Committee on Ways and Means.

By Mr. BUYER:

H. Con. Res. 427. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to commemorate the 75th anniversary of the establishment of the Department of Veterans Affairs; to the Committee on House Administration.

By Mr. MCCOTTER (for himself, Ms. ROS-LEHTINEN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. BURTON of Indiana, Mr. ENGEL, Mr. MACK, Mr. FLAKE, Mr. SMITH of New Jersey, Ms. WASSERMAN SCHULTZ, Mr. ROHRABACHER, Mr. CHABOT, Mr. ROYCE, Mr. WEXLER, Mr. ACKERMAN, Mr. PENCE, Mr. GALLEGLY, and Mr. FOLEY):

H. Con. Res. 428. Concurrent resolution expressing the sense of Congress in support of United States diplomatic personnel stationed at the United States Interests Section in Havana, Cuba; to the Committee on International Relations.

By Mr. MEEKS of New York (for himself, Mr. OWENS, Ms. MOORE of Wisconsin, Ms. KILPATRICK of Michigan, Mrs. CHRISTENSEN, Mr. SCOTT of Georgia, Mrs. MALONEY, Mr. HINOJOSA, Mr. KUCINICH, Mr. CLAY, Ms. MILLENDER-MCDONALD, Mr. WYNN, Mr. JEFFERSON, Mr. CLYBURN, Mr. DAVIS of Alabama, Mr. THOMPSON of Mississippi, Mr. DAVIS of Illinois, Mr. BUTTERFIELD, Mr. JACKSON of Illinois, Mr. LEWIS of Georgia, Mr. WATT, Mr. FORD, Mrs. JONES of Ohio, Ms. WATSON, Mr. CLEAVER, Ms. WATERS, Mr. MEEK of Florida, Mr. BISHOP of Georgia, Mr. GUTIERREZ, Ms. MCCOLLUM of Minnesota, Mr. RUSH, Mr. AL GREEN of Texas, Mr. TOWNS, Ms. LEE, Ms. CORRINE BROWN of Florida, Mr. RANGEL, Mr. SERRANO, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, Mr. CONYERS, Mr. PAYNE, Mr. CUMMINGS, Mr. BACA, Mr. PASTOR, Ms. VELÁZQUEZ, Mr. CROWLEY, Mr. ISRAEL, Mrs. LOWEY, Mr. ENGEL, Mr. LARSON of Connecticut, Ms. MCKINNEY, Mr. MCNULTY, Mr. ACKERMAN, Mr. LANTOS, Mr. WU, Mr. SCOTT of Virginia, Mr. WEINER, Mr. GONZALEZ, Ms. SOLIS, Mr. FILNER, Mr. HINCHEY, Mr. LYNCH, Mr. DELAHUNT, Ms. CARSON, Mr. FATTAH, Mr. ROTHMAN, Mr. HIGGINS, Mrs. MCCARTHY, Mr. CAPUANO, Mr. FRANK of Massachusetts, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WASSERMAN SCHULTZ, Mr. MOORE of Kansas, Mr. GRIJALVA, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. ROYBAL-ALLARD, Mr. REYES, Mr. BECERRA, Mrs. NAPOLITANO, Ms. NORTON, and Mr. CUELLAR):

H. Con. Res. 429. Concurrent resolution recognizing the low presence of minorities in the financial services industry and minorities and women in upper level positions of management, and expressing the sense of the Congress that active measures should be taken to increase the demographic diversity of the financial services industry; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILLMOR:

H. Res. 866. A resolution recognizing Sam Hornish, Jr. for winning the 90th running of the Indianapolis 500; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

347. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 147 urging the Congress of the United States to authorize and appropriate funds to allow all members of the armed forces reserve component to access the Tricare Program; to the Committee on Armed Services.

348. Also, a memorial of the Legislature of the State of Kansas, relative to Senate Concurrent Resolution No. 1618 memorializing the President of the United States and Congress of the United States regarding federal funding of education; to the Committee on Education and the Workforce.

349. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 104 urging the President of the United States and the Congress of the United States to provide states with the necessary funding to implement the goals of the No Child Left Behind Act of 2001 and other education-related programs and to offer states waivers or exemptions from related regulations when federal funding for elementary and secondary education is decreased; to the Committee on Education and the Workforce.

350. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 105 urging the Congress of the United States to support changes to the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

351. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 15 suporting the goal of eliminating suffering and death from cancer by the year 2015; to the Committee on Energy and Commerce.

352. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 741 urging the President of the United States and the Congress of the United States to take immediate action in assisting with the peacekeeping mission and efforts to resolve the conflict in the Darfur region of Sudan; to the Committee on International Relations.

353. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2002 urging the Congress of the United States to authorize funding for the Navajo Health Foundation/Sage Memorial Hospital; to the Committee on Resources.

354. Also, a memorial of the Legislature of the State of Kansas, relative to House Concurrent Resolution No. 5037 memorializing the Congress of the United States to extend certain provisions of the Voting Rights Act of 1965; to the Committee on the Judiciary.

355. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial No. 2011 urging the Congress of the United States to permanently repeal the death tax, to dissolve United States membership in the United Nations and to remove specific areas relating to faith from the jurisdiction of the United States Supreme Court; to the Committee on the Judiciary.

356. Also, a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 523 encouraging the Congress of the United States to take action on federal immigration reform, which would provide for family unification as part of comprehensive immigration reform; to the Committee on the Judiciary.

357. Also, a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 578 urging the Illinois Congressional Delegation and all of Congress to support ''the Secure America and Orderly Immigration Act of 2005''; to the Committee on the Judiciary.

358. Also, a memorial of the House of Representatives of the State of Missouri, relative to House Resolution No. 1475 encouraging the Missouri federal delegation to support the Constitutional Restoration Act (CRA) that is pending before the Congress of the United States; to the Committee on the Judiciary.

359. Also, a memorial of the Legislature of the State of Oklahoma, relative to Senate Concurrent Resolution No. 39 commending the Republic of China (Taiwan) for its close ties with the State of Oklahoma and calling for enactment of a free trade agreement between the United States and the Republic of China (Taiwan); to the Committee on Ways and Means.

360. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 6 urging the President of the United States and the Congress of the United States not to privatize social security; to the Committee on Ways and Means.

361. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1003 urging the Congress of the United States to reject attempts to lower the mortgage index deduction from the Internal Revenue Code; to the Committee on Ways and Means.

362. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2007 urging the Congress of the United States to repeal the federal excise tax on telecommunications; to the Committee on Ways and Means.

363. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 188 memorializing the President of the United States and the Congress of the United States to use flexibility in the implementation of rules to allow use of an enhanced drivers license under the Western Hemisphere Travel Initiative which requires all citizens of any age of the United States, Canada, and Mexico, and Bermuda to have a passport or other secure documentation to enter or re-enter the United States; to the Committee on Homeland Security.

364. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 170 requesting the

the House of Representative of the United States support and pass H.R. 4259, ''the Veterans' Right to Know Act''; jointly to the Committees on Armed Services and Rules.

365. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 114 requesting that the House of Representatives of the United States support and pass H.R. 4259, ''the Veterans' Right to Know Act''; jointly to the Committees on Armed Services and Rules.

366. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 727 urging the Congress of the United States to extend the Medicare Part D prescription drug deadline to December 31, 2006; jointly to the Committees on Energy and Commerce and Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. CHANDLER.
H.R. 328: Ms. CARSON.
H.R. 389: Mr. GORDON.
H.R. 503: Mr. KUCINICH.
H.R. 550: Mr. THOMPSON of Mississippi.
H.R. 615: Ms. CARSON.
H.R. 697: Mr. FITZPATRICK of Pennsylvania.
H.R. 865: Mr. INGLIS of South Carolina.
H.R. 899: Mr. NADLER.
H.R. 1155: Mr. MEEHAN and Ms. MATSUI.
H.R. 1167: Mrs. MILLER of Michigan.
H.R. 1241: Mr. DELAHUNT.
H.R. 1246: Mr. ORTIZ, Mr. PICKERING, Mr. KENNEDY of Minnesota, and Mr. ROTHMAN.
H.R. 1298: Mr. ROSS and Ms. LORETTA SANCHEZ of California.
H.R. 1329: Mrs. CAPPS.
H.R. 1384: Mr. LARSEN of Washington, Mr. AKIN, and Mr. BILIRAKIS.
H.R. 1816: Mr. HEFLEY.
H.R. 2037: Mr. WELDON of Florida.
H.R. 2061: Mr. ROSS and Mr. FORTENBERRY.
H.R. 2178: Mrs. TAUSCHER.
H.R. 2238: Mr. SHAW.
H.R. 2646: Ms. LORETTA SANCHEZ of California.
H.R. 2682: Mr. STUPAK.
H.R. 2730: Ms. LINDA T. SÁNCHEZ of California and Mr. BLUMENAUER.
H.R. 3197: Ms. HARMAN and Mr. MEEK of Florida.
H.R. 3318: Ms. HERSETH.
H.R. 3360: Mr. WELLER.
H.R. 3559: Mr. ENGEL and Mr. GOHMERT.
H.R. 3760: Mr. CLEAVER and Mr. ROTHMAN.
H.R. 3882: Mr. BOSWELL.
H.R. 3883: Mr. BOYD.
H.R. 4033: Mr. LATOURETTE, Ms. SLAUGHTER, and Mr. RYAN of Ohio.
H.R. 4157: Mr. BOUSTANY, Mr. FITZPATRICK of Pennsylvania, Mrs. BIGGERT, Mr. NUNES, Mrs. BLACKBURN, and Mr. HEFLEY.
H.R. 4212: Mr. YOUNG of Alaska.
H.R. 4341: Mr. HAYWORTH and Mr. CAMP of Michigan.
H.R. 4384: Mr. LANTOS.
H.R. 4403: Mr. ROTHMAN.
H.R. 4542: Mr. KENNEDY of Rhode Island.
H.R. 4547: Mr. BACHUS and Mr. BILIRAKIS.
H.R. 4703: Ms. BORDALLO.
H.R. 4736: Mr. GONZALEZ.
H.R. 4761: Mr. AL GREEN of Texas and Mr. FLAKE.
H.R. 4806: Mrs. MUSGRAVE.
H.R. 4913: Mr. WELDON of Pennsylvania.
H.R. 4993: Mr. WAXMAN.
H.R. 5005: Mr. REYNOLDS and Mr. BACHUS.
H.R. 5017: Mr. BROWN of Ohio.
H.R. 5081: Mr. PETERSON of Minnesota, Mr. BROWN of Ohio, and Mr. WOLF.
H.R. 5099: Mr. SANDERS.
H..R. 5106: Mr. VAN HOLLEN, Mr. STARK, and Ms. MATSUI.
H.R. 5150: Mr. CHANDLER, Ms. SOLIS, and Ms. ZOE LOFGREN of California.
H.R. 5185: Mr. WEXLER and Mr. HINCHEY.
H.R. 5189: Mr. RUPPERSBERGER.
H.R. 5204: Mr. LOBIONDO and Mr. JACKSON of Illinois.
H.R. 5206: Mr. SOUDER.
H.R. 5249: Mr. CARNAHAN.
H.R. 5250: Mr. PUTNAM.
H.R. 5289: Mrs. JO ANN DAVIS of Virginia.
H.R. 5315: Mr. MICHAUD and Mr. DAVIS of Tennessee.
H.R. 5334: Mr. DAVIS of Florida.
H.R. 5337: Mr. GARRETT of New Jersey, Mr. REICHERT, Ms. WASSERMAN SCHULTZ, Mr. BISHOP of New York, Mr. CLEAVER, Mr. GUTIERREZ, Ms. LEE, Mr. MEEK of Florida, Mr. LUCAS, Mr. LYNCH, Mr. MILLER of North Carolina, Mr. GILLMOR, Mr. PRICE of Georgia, and Mr. LATOURETTE.
H.R. 5361: Mrs. BLACKBURN, Mr. CARTER, Mr. FORD, and Mr. HYDE.
H.R. 5405: Mr. SHADEGG.
H.R. 5420: Mr. LAHOOD.
H.R. 5455: Mr. PETERSON of Minnesota and Mr. GOODE.
H.R. 5457: Mrs. MYRICK, Mr. KINGSTON, Mr. GOHMERT, Mr. SULLIVAN, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 5466: Mr. SHUSTER.
H.R. 5472: Mr. REYES, Mr. UPTON, Ms. SOLIS, Ms. WOOLSEY, Mrs. BLACKBURN, Mr. KILDEE, Mrs. CHRISTENSEN, Mr. LEACH, Ms. KILPATRICK of Michigan, Mrs. JO ANN DAVIS of Virginia, Mr. DELAHUNT, Mr. VAN HOLLEN, Ms. JACKSON-LEE of Texas, Mrs. LOWEY, and Ms. MATSUI.
H.R. 5473: Ms. JACKSON-LEE of Texas, Mr. CLEAVER, Mr. RAHALL, Mr. BUTTERFIELD, Mr. BROWN of Ohio, and Mr. WYNN.
H.R. 5476: Mr. FEENEY.
H.R. 5523: Mrs. MYRICK.
H.R. 5536: Mr. SWEENEY.
H.R. 5542: Mr. DAVIS of Tennessee.
H.R. 5550: Ms. WOOLSEY, Mr. DAVIS of Illinois, Mr. PASCRELL, Mr. STARK, Mr. GONZALEZ, and Ms. HARMAN.
H.R. 5557: Mr. FRANK of Massachusetts and Mr. MORAN of Virginia.
H.R. 5563: Mr. NADLER.
H.R. 5588: Mr. FRANK of Massachusetts, Mr. DINGELL, Ms. PELOSI, Mr. MICHAUD, Mr. CAPUANO, Mr. BROWN of Ohio, Mr. GONZALEZ, and Mr. LANGEVIN.
H.J. Res. 88: Mr. BARROW, Mr. BURGESS, Mr. GOHMERT, Mr. MCCAUL of Texas, Mrs. NORTHUP, Mr. OSBORNE, Mr. PETERSON of Minnesota, Mr. TURNER, and Mr. WOLF.
H. Con. Res. 172: Mr. MOORE of Kansas.
H. Con. Res. 235: Mr. HONDA.
H. Con. Res. 391: Mr. WU.
H. Con. Res. 415: Mr. WOLF, Mr. WELDON of Pennsylvania, Mr. WEXLER, and Mr. BISHOP of New York.
H. Res. 20: Mr. DENT.
H. Res. 461: Mr. BERMAN, Mr. LANTOS, Mr. BLUMENAUER, and Ms. WATSON.
H. Res. 745: Mr. RUPPERSBERGER, Mr. MEEHAN, and Mr. FITZPATRICK of Pennsylvania.
H. Res. 759: Mr. WOLF, Mr. MCCAUL of Texas, and Mr. ISSA.
H. Res. 779: Mr. DOOLITTLE.
H. Res. 800: Mr. JENKINS, Mr. MEEKS of New York, and Mr. WYNN.
H. Res. 822: Mr. JACKSON of Illinois.
H. Res. 825: Mr. GORDON.
H. Res. 841: Mr. CRAMER, Mr. COSTA, Mr. ROSS, Mr. BOREN, Ms. HARMAN, Mr. SALAZAR, Mr. THOMPSON of California, Ms. HERSETH, Mr. BARROW, Mr. BOSWELL, Mr. MELANCON, Mr. MICHAUD, and Mr. COOPER.
H. Res. 858: Mr. AL GREEN OF TEXAS, Mr. ANDREWS, Mr. BISHOP of New York, Mr. WEXLER, Mr. SAXTON, Mr. FRANK of Massachusetts, Mr. WEINER, and Mr. ETHERIDGE.
H. Res. 863: Mr. HONDA, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, and Mr. CAPUANO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from pubic bills and resolutions as follows:

H.R. 2048: Ms. SOLIS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

119. The SPEAKER presented a petition of the Board of Commissioners of the County of Saginaw, Michigan, relative to Resolution C supporting the increase in the minimum wage at both the state and federal levels; to the Committee on Education and the Workforce.

120. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 169 requesting the Congress of the United States and the President of the United States to enact legislation to protect wetlands by defining same as one acre or more in size or bodies of water adjacent to protected water ways; jointly to the Committees on Resources and Transportation and Infrastructure.

121. Also, a petition of the City of Miami Commission, Florida, relative to Resolution No. R-06-0214 supporting the legalization, not criminalization, of immigrants in the United States and urging the Congress of the United States to reconsider House Bill 4437 and instead adopt the Senate Judiciary Committee's bill; jointly to the Committees on the Judiciary and Homeland Security.

122. Also, a petition of the Milwaukee County Board of Supervisors, Wisconsin, relative to a resolution urging the passage of a comprehensive U.S. immigration reform law known as The Secure America and Orderly Immigration Act; jointly to the Committees on the Judiciary, Homeland Security, International Relations, Energy and Commerce, and Education and the Workforce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5576

OFFERED BY: MR. JINDAL

AMENDMENT NO. 4: Page 100, after line 7, insert the following new paragraph:

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 of Public Law 109–148, owners may then offer remaining available dwelling units to city and parish employees and volunteers from those parishes for a period of not to exceed 24 months: *Provided,* That workers or volunteers engaged in recovery activities, employees or volunteers of the site, as well as workers or volunteers providing healthcare and/or other home and community-based services to seniors—and the return of such housing to the affordable housing stock when no longer needed as temporary housing.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used for the construction, expansion, renovation, or building of the Los Angeles Gay and Lesbian Center.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Federal Highway Administration to implement contracting practices based upon racial preference.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 7: Page 205, after line 8, insert the following:

REDUCTION OF FUNDS

The amounts otherwise provided in this title for ''Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund'' and ''Environmental Dispute Resolution Fund'' are hereby reduced to $0.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 8: Page 204, strike line 13 and all that follows through page 205, line 3.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 9: Page 205, strike lines 4 through 8.

H.R. 5576

OFFERED BY: MR. LIPINSKI

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Department of Treasury—Departmental Offices—Salaries and Expenses'', by reducing the amount made available for ''Internal Revenue Service—Business Systems Modernization'', and by increasing the amounts made available for the Secretary of Transportation, for carrying out the Rail Line Relocation Projects as authorized by section 9002 of SAFETEA-LU, by $10,000,000, $20,000,000, and $30,000,000, respectively.

H.R. 5576

OFFERED BY: MS. HARRIS

AMENDMENT NO. 11: Page 100, line 18, after the dollar amount, insert the following: ''(increased by $12,000,000)''.

Page 102, line 3, after the dollar amount, insert the following: ''(increased by $3,000,000)''.

Page 111, line 3, after the first dollar amount, insert the following: ''(reduced by $12,000,000)''.

Page 195, line 4, after the dollar amount, insert the following: ''(reduced by $3,000,000)''.

H.R. 5576

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to apply the assumption contained in section A150.101(d) of title 14, Code of Federal Regulations.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, TUESDAY, JUNE 13, 2006 No. 75

Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, we pause this morning to fix our hearts upon You. Let our trust in Your sovereignty produce a love that will order our system of values. Create in us a desire to serve Your purposes and increase the treasure of Your kingdom.

Bless the Members of this body as they face today's challenges. Make them gentle, yet brave; confident, yet humble; wise, yet uncomplicated. May they meet life with calmness, trouble with fortitude, hate with forgiveness, disloyalty with kindness, and persecution with faith.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHNNY ISAKSON 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, June 13, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ISAKSON thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we have a period of morning business for up to 60 minutes. At the conclusion of morning business, we will return to consideration of the Defense authorization bill. Last night, the chairman called up an amendment that I sponsored along with the Democratic leader, the chairman, and the ranking member. The amendment commends our Armed Forces for the recent events around the Zarqawi death. A vote will occur on that amendment at 12:15 today.

Following that vote, we will recess for our weekly policy luncheons. At 2:15, following the policy meetings, Senators should be seated at their desks for the official photograph of the 109th Congress. Immediately following the picture, there will be a briefing for all Senators, beginning at 2:30, and that briefing will be by Secretary Rice and Secretary Rumsfeld. We will remain in session during that briefing to allow debate on the Mine Safety and Health nomination that we filed cloture on last week. That cloture vote is expected to occur around 3:30 if all debate time is used.

Senators should also be aware that the House is expected to complete their work on the emergency supplemental conference report today. We expect to turn to the supplemental this afternoon when that measure arrives.

DEATH OF ZARQAWI

Mr. FRIST. Mr. President, later this morning, as I mentioned, the Senate will be voting on an amendment to commend the men and women of our Armed Forces for their bravery and skill which led to the death of Zarqawi, who was anointed by Osama bin Laden as the Prince of al-Qaida in Iraq.

Al-Zarqawi was a brutal terrorist and, as we all know, the operational commander of al-Qaida in Iraq. His vicious campaigns of suicide attacks, car bombings, beheadings, assassinations, and abductions was directly responsible for the deaths of many American and coalition troops and thousands of Iraqi security forces and innocent citizens.

He was violently opposed to the new Iraqi democracy and sought to turn Iraq into a safe haven for al-Qaida terrorists.

To achieve this goal, he murdered thousands of innocent Iraqi civilians. He sought to divide the Iraqi people by fomenting sectarian violence and inciting a civil war. His goal was destruction, and he brought only violence and despair. But, finally, after 3 years of eluding capture, justice was brought to Zarqawi.

At approximately 6:15 Baghdad time last Wednesday evening, American forces, acting on intelligence tips from the Iraqi people, attacked Zarqawi's safe house near the city of Baqouba, northeast of Baghdad.

Zarqawi's spiritual adviser and several of their associates were also inside. Less than an hour later, the leading terrorist and No. 1 enemy of freedom in Iraq, Abu Musab al-Zarqawi, was dead.

This is a severe blow for al-Qaida and the terrorist enemy in Iraq. And it marks yet another victory in the global war on terror.

The amendment I offered yesterday, along with a number of my colleagues, commends the courageous men and women of the U.S. military for their

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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extraordinary efforts to eliminate this brutal terrorist, and for their commitment to helping secure a free, prosperous, and secure future for the Iraqi people.

It also applauds the efforts of our coalition partners and the Iraqi Security Forces who contributed to this achievement.

Iraqi security recruits had long been one of Zarqawi's primary targets. Despite repeated attacks against hopeful, young recruits, these brave Iraqis kept coming back. They have shown time and time again they are eager to assume their responsibilities and do what it takes to defend their democracy.

The Iraqi public is also deserving of recognition. They defied Zarqawi's threats and streamed to the polls in three national elections. Against the threat of violence, they formed a permanent democratic government.

In recent months, coalition forces have also received a tremendous increase in intelligence tips on the activities and whereabouts of terrorists directly from the Iraqi people. The number of actionable intelligence tips from the Iraqi population numbered only 483 in March of 2005. Since November of that year, the number of tips has skyrocketed to over 4,000 a month.

The Iraqi people want peace. They want to defeat the terrorist enemy that uses them as human shields. They want to defend their country from chaos and terror.

And so, Zarqawi has met his fate. But the fight to secure a free and democratic Iraq continues. The terrorists in Iraq will continue to wreak havoc and destruction. But they will not succeed. They cannot succeed. American forces, alongside our coalition partners and the Iraqi security forces, will remain on the offensive until the terrorist enemy is defeated.

My Senate colleagues and I are filled with pride at the bravery, skill, and valor of our soldiers on the front line. We are grateful for their service, and we congratulate them for last week's successful mission to rid Iraq of its No. 1 terrorist.

Our resolution also commends our Nation's civilian and military leadership, which includes President Bush and Defense Secretary Rumsfeld, for their continuing efforts to eliminate the leadership of al-Qaida in Iraq.

Prime Minister Maliki and the new democratically elected Government deserve our gratitude and commendation.

Here in the Senate, we will continue to support our men and women in uniform, the democratically elected Government of Iraq, and the Iraqi people as they strive for a free, prosperous, and democratic future.

TRIBUTE TO SENATOR ROBERT DOLE

Mr. FRIST. Mr. President, this Sunday marked the 10th anniversary of Senator Robert Dole's retirement from the U.S. Senate. From humble beginnings on the plains of western Kansas, Bob Dole has risen to become one of our most accomplished and respected public figures of the 20th century.

Bob Dole arrived in Congress in 1960 as a representative of the Sixth District of Kansas. He was immediately chosen by his fellow freshman colleagues to lead the freshman class. His ability to lead and inspire, his dry wit and savvy, would characterize his ascent to the peaks of political life.

Bob Dole was reelected for three more terms before being elected to the Senate in 1968.

In 1971, Senator Dole was chosen to lead the Republican National Committee, a position he held for 2 years.

It was a tumultuous time for America. His steady hand earned him the Vice Presidential nomination alongside Gerald Ford in the 1976 election. Jimmy Carter won. But that didn't hinder Senator Dole's steady climb.

Over the next decade, Senator Dole moved up through the leadership ranks, and in 1984, he was elected to succeed Senator Howard Baker as majority leader. While Democrats regained control of the Senate in 1986, Senator Dole continued to lead his party as minority leader. In 1994, Republicans swept Congress, and Senator Dole was once again elected majority leader. His 12 years as the leader of his party in the Senate set a record, and made him the longest serving Senate leader of the Republican Party since its founding in 1854.

I learned a lot from Leader Dole during my first few years here. We saw eye to eye on most issues, but when we didn't, he always encouraged me to vote my conscience.

He respected my commitment to family, and with three young sons, he was always careful to ensure that the schedule wouldn't run over my time with my wife and children.

And he took the time to listen to all colleagues. While many remember his famous admonition, in meeting after meeting, to ''work it out,'' what fewer recall is that he would pursue votes, and ideas, and solutions over and over and over to lead to the point where, indeed, we could ''work it out.''

Our Senate party was in good hands under his stewardship. He was a good partner for President Reagan, and President Bush. And the respect President Clinton paid him was impressive, even across party lines.

I was proud to begin to know him during my early years here. His portrait hangs on the wall in my conference room, making him part of our leadership meetings every week I have often thought about what he might do when challenging situations arise around here.

And as much, I have often wondered what quip he might have offered to break the tension at a tough moment.

With my leadership team, we have made some tough calls under his watchful gaze. In 1996, Senator Dole was chosen by the party to run as its Presidential nominee. It was the capstone to a remarkable career.

World War II hero, dedicated public servant, master of the Senate, and champion of the conservative cause, Senator Dole has stamped his place in American political history. Although he has left office, the elder statesman has in no way retired. He has authored two best-selling books on political humor, and a personal memoir of his life as a soldier. He is invited to speak all over the world to offer his wit and keen insights into the issues of our time. President Reagan once said of Senator Dole, ''His title of Leader is not just a job title, it's a description of the man.'' This plain-spoken, honest and humble man from Russell, KS, is the genuine article.

One of the brightest stars of the Greatest Generation, Senator Dole served his country with bravery and dedication. He has earned the affection and respect of his fellow citizens. And he will always be remembered for his humor, his leadership, graciousness and humility—and for the honor he has brought to political life.

Mr. President, I yield the floor.

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 1 hour, 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 Alaska.

TRIBUTE TO SENATOR ROBERT DOLE

Mr. STEVENS. Mr. President, yesterday, we honored our colleague, Senator ROBERT BYRD, for achieving an important milestone in our Senate's history. Today, we come to the floor to pay tribute to another man who stands out as a giant among those who have served in this Chamber. Senator Bob Dole, last Sunday, marked the 10-year anniversary of his retirement from the Senate.

Bob Dole and I came to the Senate at the same time. We have worked together a great deal. When I was Republican whip and he was our party's Vice Presidential nominee, I was asked to help him prepare for his debate when he debated Walter Mondale—the first Vice Presidential debate in history.

Bob helped us pass the Alaskan Native Land Claims Settlement Act, which paved the way for the Trans-Alaska Pipeline. And he supported the Alaska Lands Act and the Alaska Railroad Transfer. In short, Bob Dole is a

great personal friend, a friend to me and to Alaska.

Bob was—and still is—a leader in the truest sense of the word. Whenever I think of Bob Dole, I think of the great many men I have known who were tested in World War II. Like my good friend Senator INOUYE, Bob Dole is a true war hero. He was tested in war and injured and struggled back through a long recovery. Like all great leaders, Bob takes great challenges of life and uses them to improve the world around him.

Having been injured in World War II, he dedicated much of his time in public service to improving the opportunities for disabled Americans.

Those of us in the Senate who were fortunate enough to call Bob a colleague for 27 years, chose him to serve as our leader six times, when we were in the majority and the minority. He reached out to those who disagreed with him. He listened to advice. You never had to ask him twice to know where he stood; his word was—and is—his bond. As President Reagan said:

> His title of leader is not just a job title, it's a description of the man.

I think Bob's decision to resign his seat rather than stay in the Senate and campaign for the Presidency demonstrates what a devoted public servant he is. I have now been in the Senate over 30 years, and I have seen Members of this body run for President and miss vote after vote because they were on the road campaigning.

Bob Dole loved the people of Kansas too much to leave them without a voice in the Senate, so he resigned. I believe that took great courage. If there is one thing about Bob Dole that there is no shortage of, it is courage. Bob himself said, when he resigned from the Senate:

> One of the qualities of American politics that distinguishes us from other nations is that we judge our politicians as much by the manner by which they leave office as by the vigor with which they pursue it. You do not lay claim to the office you hold, it lays claim to you. Your obligation is to bring to it the gifts you can of labor and honesty and then to depart with grace.

By his own standards, Bob Dole stands out as one of the most noble and dignified men who ever graced these Halls.

Senator Dole did not win the 1996 Presidential election, but his commitment to public service has not wavered. He still contributes to the public debate through his writing and speaking, and he has remained active on the campaign trail. We have been fortunate that since his retirement another Dole has joined this Chamber—his wife, Senator ELIZABETH DOLE, who serves the people of North Carolina and our Nation, also, with great distinction.

When Senator Dole resigned from the Senate 10 years ago to run for President, he and I were the only remaining Members of the class of 1968. We have a bond that was forged on the morning of January 3, 1969, when we each took the oath to serve our country in the Senate. That bond never fades, and I salute his service today.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, before the distinguished Senator departs, I say to the Senator, you made mention of his heroic service, together with that of yourself and Senator INOUYE in World War II. But I think the RECORD should reflect how you and I and others in the Chamber—Senator INOUYE—supported him in the World War II Memorial. This was something that was very dear to his heart, and he became the national public president figure to really raise those funds—almost all of the dollars from the public sector: dollars from veterans, dollars from all across America, and, indeed, some from beyond our shores.

To his credit, every time I pass it—and I am sure you view that magnificent memorial—I always remember his contribution in erecting it.

Mr. STEVENS. The Senator from Virginia is correct, Mr. President. Senator INOUYE and I were pleased and proud to join him and you in that effort. And we are delighted that the sponsors of that memorial remembered Alaska and Hawaii. They are in the memorial although they were not States during World War II.

I thank the Senator.

Mr. WARNER. Mr. President, I thank my distinguished colleague. I played a very minor role in World War II in the last year, the closing year, when my class of 17, 18-year-olds joined.

And I say to the Senator, you, sir, were a great hero in that war, as was Bob Dole.

Mr. President, I also thank our colleague, Senator SMITH, for initiating this recognition on the 10th anniversary of Bob Dole's retirement from the Senate.

When I came to the Senate—it is hard to believe—28 years ago, he very soon became a figure to whom I would turn from time to time to seek advice and counsel. He had a magnificent ability to reach across the aisle. And he very firmly believed in the concept of trying to do as much business as we could in a bipartisan way.

Much has been said about trips we take in the Senate. I value the trips I took with Senator Dole. I remember one very vividly when he quickly put together a delegation to visit Boris Yeltsin when he rose to the top position in then the Soviet Union, watching Bob Dole with that new world leader, the two of them together trying to reach common ground and common understanding in the midst of the Cold War between the United States and the then Soviet Union. He was a man who wisely thought about how this is one world in which we live today. Be it the means of our national security or otherwise, we have to have the vision to look abroad.

I also remember another day very clearly. That was in connection with one of the anniversaries of the landing of D–Day. He asked me to accompany him. He spoke in Italy that day. Then we doubled back and went up to Normandy. We also incorporated in that trip a visit to a small village on the top of a mountain. All the way up the side of the mountain, the old bus we were in was zigzagging up a narrow road. There were little signs: Welcome home, Bob Dole. After a luncheon, he took me and one other Member of the Senate and we walked a short distance from the hotel up on a hillside where there was a small stone wall. We stood there and joined him in a silent moment of prayer. Prayer was very important, as it is now, to Bob Dole. That is where he fell wounded and survived under extraordinary circumstances, largely owing to one of the civilian partisans who helped him get back to receive medical care. I will remember that moment always.

I also draw to the attention of my colleagues—I am not here to sell books—a great book he wrote called ''Great Political Wit: Laughing (Almost) All the Way to the White House.'' In it he talks about himself. I particularly like this. This was in the last page of the book called ''Great Political Wit'':

> Don't feel too bad for me. The appearance of this book coincides with the fiftieth anniversary of Harry Truman's stunning upset of Tom Dewey in 1948, which not only changed the course of American history but produced a patron saint for every political underdog since. Like Truman, I have a Midwestern preference for plain speaking, and a sometimes impolitic habit of laughing at pomposity. Although there have been times when I have been forced to eat my words—or swallow my pride—I still find it hard to take too seriously people who take themselves that way.
>
> What people often forget is that the last laugh doesn't belong to the victorious candidate—it belongs to the late-night [show] comics.

In that book, he also told a story. I think this is applicable to close out my brief remarks this morning.

> As presiding officer of the United States Senate, Vice President Calvin Coolidge declared his intention to master the rules governing the world's greatest deliberative body. This didn't take long, said Coolidge, who quickly discovered that the Senate has but one rule, which is that the Senate will do whatever it wants whenever it wants to.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, special thanks to my colleague and friend, Senator GORDON SMITH, who represents the State of Oregon and our Nation with grace and civility, intelligence and accomplishment, for this special order paying tribute to our Kansas Senator Bob Dole.

It doesn't seem possible that it has been 10 years since Bob's tenure as our majority leader ended, a tenure that represents the longest serving Senate leader of our Republican Party since the founding of the Grand Old Party in

1854. During those 12 years of leadership, there were difficult and challenging times. But Bob Dole's legacy was and is legislative accomplishment, always in Bob Dole style, a unique mixture of principle and compromise when necessary, comity, his great gift of wit and humor and good old Kansas common sense.

In 1968, when Bob first ran for the Senate, his theme song was ''Let a Leader Lead the Way.'' He certainly did. It would be impossible to list all of Bob's legislative achievements, but the Dole Institute at the University of Kansas does provide some highlights. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1962 Amendment to National School Lunch Act
1966 Food for Peace Act
1969 Controlled Dangerous Substances Act
1970 Drug Abuse Prevention and Control Act
1971 Amendments to Federal Water Pollution Control Act
1973 Rural Health Care Delivery Improvement Act
1974 Campaign Finance Reform Legislation
1977 POW / MIA Vietnam Legislation
1977 Food Stamp Program
1979 Taiwan Foreign Relations Act
1980 Biotech Industry Incentives Act
1981 Immigration Reform Legislation
1981 Economic Recovery Tax Act
1981 Hospice Care Legislation
1982 Voting Rights Act Extension
1983 Bipartisan Social Security Act
1983 Emergency Food Assistance Program
1983 Martin Luther King Holiday Bill
1984 Comprehensive Crime Control Act
1985 Televised Senate Proceedings Resolution
1985 Landmark Farm Bill
1986 Tax Reform Act
1986 Terrorist Prosecution Act
1987 Homeless Assistance Act
1988 Omnibus Trade and Competitiveness Act
1988 INF Arms Control Treaty
1988 Anti-Drug Abuse Act
1988 Welfare Family Support Act
1990 Clean Air Act
1990 Americans with Disabilities Act
1991 Desert Storm Authorization Resolution
1993 North American Free Trade Agreement
1994 Violence Against Women Legislation
1995 Comprehensive Federal Agency Regulatory Reform Act
1995 Congressional Accountability Act
1995 Comprehensive Telecommunications Reform Act
1995 Lobbying Reform Legislation
1995 Safe Drinking Water Act
1995 Medicare Trust Fund Legislation
1995 Private Securities Legal Reform Act
1996 Farm Conservation Bill
1996 Line Item Veto
1996 Omnibus Appropriations Act
1996 Cuban Liberty and Democratic Solidarity Act
1996 Bipartisan Immigration Control and Financial Responsibility Act
1996 Bipartisan Anti-Terrorism Legislation

Mr. ROBERTS. These accomplishments were of direct benefit to the daily lives and pocketbooks of Americans and represent many programs and reforms that we now take for granted. Bob is probably most proud of the fact he led the way for disabled Americans, for our Nation's School Lunch Program, not to mention the World Food Program where food and education combine as the most effective long-term answer in our current fight against terrorism.

I have special memories and a personal perspective of the Bob Dole days in the Senate when I was in the House. Having the privilege of representing Bob's former congressional district, the big first district of Kansas, knowing Bob Dole since his friendship with my father and later during my service as the administrative assistant both for Bob's predecessor in the Senate, Senator Frank Carlson, and his successor in the House, Congressman Keith Sebelius, many assumed that whatever I was for, Bob was for. I would always emphasize that Bob Dole was riding shotgun with me, whether he was or not. That was like having Wyatt Earp, Bat Masterson, Doc Holiday, and Matt Dillon all by your side during any kind of legislative shootout. Of course, if we won, I had to come over to the Senate and let him know. If we lost, I came over to ask for help. Either way, when the chips were down, it was a win-win with Bob on your side.

In Kansas, our State society named Dwight David Eisenhower the Kansan of the 20th century, and we are still proud of and still like Ike. Historians have ensconced our native son as one of our greatest Presidents. The fact is that the Eisenhower legacy lives on with Bob Dole. Ike was his hero, and by following his example, Bob has been accurately described as a towering figure and the most enduring Republican leader of the 20th century with a distinguished record of public service that has made a tremendous positive impact on our Nation.

Following his elected public service, Bob has continued to contribute, to lead, and to achieve. I daresay without Bob Dole, the World War II Memorial would not be the centerpiece of the Mall in our Nation's Capital. Most deserving of the Presidential Medal of Freedom, he has been and is an international emissary for peace and freedom and is involved in countless projects and causes. When I go back home to Kansas, Kansans always ask me: What do you hear from Bob? How is he doing? I tell them he is still on the go and doing what he has always done, that we still tow buckets together, and we don't spill very much.

Simply put, Bob Dole continues to be a leader who leads the way. We in Kansas are proud of Bob Dole.

My thanks again to Senator SMITH for reserving this time honoring our native son.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

HONORING SENATOR ROBERT C. BYRD

Mr. SMITH. Mr. President, it is a privilege to come to the Chamber and speak of Bob Dole and also his distinguished wife, our colleague, ELIZABETH DOLE, both great public servants. While that is my intention, to speak about them—specifically, Senator Bob Dole—I would like to join all Senators, Democrats who yesterday spoke of Senator BYRD, I know many Republicans did as well. I, not being in town, wanted to take an occasion to salute Senator BYRD for a remarkable career in the Senate. I was touched, however, recently by the recognition given to his wife, who recently passed away, in which Senator BYRD essentially said that this would be a bittersweet day for him in that he now is the record holder for service in the Senate because Erma would not be here to share it with him. I know how much Senator BYRD values the Senate, but I think that comment of his, that reflection, was evidence that he values his marriage and family even more.

As a Republican Senator, I salute Senator BYRD for his remarkably long and distinguished career.

TRIBUTE TO SENATOR ROBERT DOLE

Mr. SMITH. Mr. President, I was not in the Chamber 10 years ago when Senator Dole resigned his seat. I was, in fact, on the campaign trail in the midst of an election campaign that he had helped to recruit me to run. I remember watching those proceedings and seeing the bipartisan affection in which Senator Dole was held. I later met him many times on the campaign trail as he pursued the Presidency and was impressed by his courage in the face of very discouraging poll numbers and the high probability that he would not win and how hard he fought for us and others who were running to fill seats in the U.S. Senate. ELIZABETH was at his side, and together they made a tremendous campaign and did honor to our country and to the Republican Party by the way in which they prosecuted a very difficult campaign cycle. It reflected honor upon our country.

It is important that as we celebrate his resignation and his career that ended 10 years ago, we take occasion to reflect on his remarkable accomplishments. He served 27 years in this body, 11 of those as Senate Republican leader. Bob Dole's remarkable record of accomplishment as a Senator is well known. It is not an exaggeration to say that his fingerprints could be found on nearly every major piece of legislation that passed Congress during the 1980s and the first half of 1990s.

It was Bob Dole who reached across party lines to work with Senator George McGovern to create the Food Stamp Program. It was Bob Dole who worked with Senators HARKIN and KENNEDY to bring about the Americans with Disabilities Act. It was Bob Dole who worked with the late Senator Pat Moynihan to save the Social Security Program.

I rise today not just to pay tribute to Bob Dole's legislative accomplishments; rather, I rise on this occasion to

celebrate what he has done in the decade since he left this body. There can be no question that over those 10 years, Bob Dole has continued his lifelong commitment to serving his country, a commitment that began as a young soldier in the hills of Italy during the Second World War. Indeed, for many Americans, Bob Dole is the living symbol of what Tom Brokaw has termed ''America's greatest generation,'' the generation of Americans who saved freedom during World War II. My generation is the beneficiary of Bob Dole's generation, the world we inherited, a world in which America assumed world leadership. My generation has been greatly blessed by patriots such as Bob Dole.

Perhaps Bob Dole's greatest contribution to the past decade was his chairmanship of the National World War II Memorial. Quite simply, that beautiful memorial would not grace our National Mall now had it not been for the persistence and leadership of Bob Dole.

Bob Dole also volunteered for service after the attacks on September 11, when he joined with former President Bill Clinton to serve as cochair of the Families of Freedom Scholarship Fund, which assists the educational needs of families of those who lost their lives in the World Trade Center, the Pentagon, and United flight 93.

During this time in this Chamber, no Senator spoke more loudly and more eloquently about atrocities occurring around the world—specifically in Bosnia—than did Bob Dole, who raised his voice loudly. He has continued his vigilance by serving as Chairman of the International Commission on Missing Persons, traveling to the Balkans to provide closure to families of those who were victims of the genocide that occurred under Slobodon Milosevic.

In January of 2003, President Bush appointed Bob Dole as honorary Cochair of the President's Council on Service and Civic Participation. He has worked to connect countless Americans with service opportunities in communities, schools, and workplaces.

Bob Dole has also continued his commitment to ending the scourge of hunger, working with his former colleague, George McGovern, to advocate the expansion of school breakfast programs in the United States. They have also teamed to promote the expansion of the School Lunch Programs across the world through their Global School Feeding Initiative.

Bob Dole has also devoted a great deal of his time and energy to the Robert J. Dole Institute of Politics, which is located at the University of Kansas in Lawrence, KS. The institute is one of America's premier university-based political science and international affairs research institutes, dedicated to reestablishing politics as an honorable profession and to promoting greater student and civic involvement in the democratic process.

Along with all of these activities, Bob Dole is one of America's most popular public speakers, inspiring audiences with his courage, his humor, his love of America, and always with that trademark wit. He has also authored three books since leaving the Senate—two on political humor, and the most recent, ''One Soldier's Story,'' which tells the remarkable story of his recovery from the wounds he suffered during the Second World War.

Mr. President, Bob Dole has often said that he takes inspiration in the State motto of his beloved Kansas, which is: ''To the stars through difficulties.'' There can be no doubt that Bob Dole reached those stars in serving his country as a soldier and as a public servant. He has proved time and again over the past decade that he continues to reach for the stars as a private citizen.

I know all Senators join me in saluting Bob Dole and thanking him for the positive difference he has made over these past 10 years. Part of that difference was supporting his wife Elizabeth and her campaign to win a seat in the Senate. Together, they are a remarkable American couple and have made a remarkable difference for the betterment of our country and even the world.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I thank those who have come to the floor today to help honor our former colleague in the Senate, Bob Dole. I don't know of anyone who has had more of an influence on my career in the Senate than Bob Dole, although Howard Baker, who was the Republican leader when I first arrived in the Senate in 1978, also had a great deal to do with my career here.

I don't know who coined the phrase ''compassionate conservative,'' but Bob Dole was the epitome of a compassionate conservative. His legislative record is replete with examples of his leadership to help ensure the formulation and implementation of policies by our Federal Government that recognized the needs of those who were unable to care for themselves, or were unable to make progress economically, without the assistance of the Government.

He authored the Americans with Disabilities Act and helped lead the way for many Americans by his example of how one can overcome disabilities. My friend Gordon Smith mentioned his authorship of the book ''One Soldier's Story.'' That should be required reading for every American. It was a heartwarming yet heartbreaking account of his experiences in World War II in combat and his long road to recovering from the painful and life-threatening injuries he sustained in battle.

You can also look to examples of when he was a leader in the Agriculture Committee on which I had the good fortune to serve as a new member, at a time when he was one of the true leaders in formulating agricultural policy for our Nation. He worked easily across the aisle with Herman Talmadge, the chairman of the committee at that time, and with George McGovern, another leader on the committee from South Dakota. They worked together to help craft improvements in the School Lunch Programs and other feeding programs that assist Americans who are unable to provide for their own nutritional needs. Think about that. This was at a time when the Federal Government was pretty well leaving these responsibilities to State and local governments, charitable organizations, and the Nation's schools to formulate their own response to these challenges.

But we became a Nation whose record of support for dealing with these problems has become a model for the world. As a matter of fact, he and George McGovern created a worldwide nutrition assistance program that today makes food and nutrition benefits available to the poorest of the poor in Africa and many other countries throughout the world.

He was a leader in establishing a modern veterans benefit program and ensuring that a cabinet-level position was available to help administer this program to be sure that all veterans, those who had disabilities or those who deserved pensions and other benefits because of their age or experiences in war, would have those benefits and could be a part of our national citizenship in every sense of the word.

I recall very vividly when we elected Bob Dole as our leader in the Senate on the Republican side. He was a master at getting things done, at working out problems, at bringing people together who had disparate views on subjects that we needed to take action on and deal with. He worked hard. He knew everybody's personal interests and disposition. I was amazed at how he could stand before the Senate and stay there until the late hours of the evening, working out the intricacies of a tax reform bill, which he helped craft as chairman of the Finance Committee, in charge of tax policies for our country.

He was a Senator's Senator in every respect, a warm-hearted, humorous, delightful companion, who enriched the lives of all who served with him in the Senate. I suppose the highlight for me in my relationship with Senator Dole was the nominating convention, when he was selected to be the Republican Party candidate for President of the United States. I was very excited about that. It was a wonderful decision. I could not think of anybody who would be better as President of the United States than Bob Dole. I remember the night that the convention nominated him and he walked out on the stage to accept the nomination. It was really quite an event. Also, that night, I recall while they were counting the ballots on the floor, he invited CHUCK GRASSLEY from Iowa, our colleague in the Senate, and me to be with his family up in the suite in the hotel in San

Diego to watch the last votes being counted, and then to proceed into the convention hall to accept the nomination.

Mr. President, we miss Bob Dole's leadership in the Senate. We are delighted, though, the Senate is taking time to recognize the great service that he rendered during his career here.

SENATOR BOB DOLE

Mr. BROWNBACK. Mr. President, I am in the Dole seat for Kansas. When Senator Dole left, I ran for his seat and was fortunate enough to be elected to that seat. I worked with Senator Dole for many years, when I was secretary of agriculture for Kansas. I first met him when I was Kansas State president of the Junior Farmers of America. I have had a wonderful relationship with Senator Dole. He is an outstanding American, and he is an outstanding Kansan. He deserves tribute.

We in the Senate are certainly blessed and honored each time we have the opportunity to rise on our feet on this floor and address this august body. At this moment, I feel particularly blessed and honored to be able to recognize my predecessor, Senator Robert Joseph Dole.

Today, we rise to mark the decade anniversary of Senator Dole announcing his retirement to this body. On June 11, 1996, Senator Dole, as the Republican nominee for the Presidency, announced that he would resign his seat in the U.S. Senate. And some asked, Why would he retire with 2 full years left in his term and only 6 months left in the campaign? ''I thought that was what was best for Kansas.'' For while he was many things—a legislator, a statesman, a decorated war hero, a leader—Senator Dole believed in his State and he believed in service to his State and he thought this was the best for his State, and that he would run just as a man, an ordinary citizen. It was a tremendous tribute to his service and his believing in the service of this body, that if you couldn't be here full time to do this work, he thought it would be better that he would leave it and bring somebody else in so that he could pursue the Presidency full time.

The motto of our State is ''Ad Astera, per Aspera.'' That is a Latin phrase meaning ''to the stars, through difficulty.'' Perhaps, considering our State's motto, one could consider it also the motto for Bob Dole.

He was born in 1923 in Russell, KS. Bob Dole was a teenager during the worst environmental disaster of my State's history—that was the Dust Bowl. He was 11 years old on April 14, 1935, which was referred to as ''Black Sunday.'' On that day, a wall of dust covered the prairie of western Kansas, turning day into night. Some thought it was the end of the world. During those years, childhood friends of Bob Dole recalled postponing basketball games in the middle of them, four or five times during the game, just to sweep the piling dust off the floor.

Some fled the dust. Others were withered by it. Bob Dole was formed by it. Years later, he would recount that ''growing up on the edge of the Depression-era Dust Bowl, I was taught to put my trust in God and not government, and never to confuse the two.'' Per Aspera.

As a young man, Bob Dole rose to meet the greatest challenge his great generation would face—World War II. Bob was a second lieutenant in the Army's 10th Mountain Division. He served in the mountains of Italy, where he and his unit faced some of the fiercest and challenging fighting of the war. Bob fought bravely. He was wounded. He fought again. He crawled from the security of his foxhole during intense fighting to assist a critically wounded radio operator, and in the process was shot in the back by a Nazi machine gunner. This time few thought he would survive. Bob Dole was hospitalized for a total of 39 months. He gave up the use of his right arm.

Ad Astra—to the Stars.

For his wounds, Bob was awarded two Purple Hearts. For his valor, Bob Dole was awarded the Bronze Star with an Oak Cluster.

Ad Astra—to the Stars.

Returning to his native Kansas, Bob turned to his family, to his neighbors, and to his friends for support. Later, he remarked: ''I was sustained by neighbors, who were anything but stingy with their love and encouragement. I learned then, if I hadn't already known it, that there is no such thing as a wholly self-made man or woman.''

He picked up where he left off and earned his undergraduate and law degrees from Washburn University in Topeka, KS. From there, Bob Dole began his political rise to the stars.

Ad Astra.

Bob served in the Kansas State House as the Russell County attorney, and on January 3, 1961, Bina Dole's little boy was sworn into the 87th Congress of the United States. Within a decade, Dole had distinguished himself as a legislator and was sent by his fellow Kansans to serve here in this body.

And here in this Chamber, Bob Dole continued to serve the people of Kansas and this great Nation. He served them as chairman of the Finance Committee. He served them as the minority leader of the Senate. He served them as majority leader. He served them for nearly three decades, until exactly one decade ago today, when he retired.

Today, Bob Dole's service is neither over nor forgotten. Having been recognized with the Presidential Medal of Freedom—a civilian honor, to match his military honors—he has continued to serve. He served as chairman of the International Commission on Missing Persons in the former Yugoslavia and the National World War II Memorial. He even gets a great deal of constituent casework of people contacting to ask if he could help out with this or that—and of course he does. He spearheaded the World War II Memorial effort, and what a beautiful memorial to the greatest generation it is.

Also, I believe Bob served as the spokesman for a number of different commercial causes which have continued. And his humor continues unabated as well.

I remember when serving as secretary of agriculture in the State of Kansas that Senator Dole would address a number of farm audiences—sometimes from the back of a pickup truck. He would see a number of members of that audience who would often loosen up their belts and their overalls because they knew they were going to be in for an entertaining speech, a lot of times about 30 minutes or 25 minutes of jokes and one-liners and 5 minutes of politics. They loved it. He loved it. They loved him. He loved them. It was a beautiful symbiotic relationship that Bob Dole had with his State, with my State of Kansas.

He also continues to serve as a trusted adviser and friend to guys like me. I have been honored to be able to serve in his seat. It is difficult to follow somebody of his legendary status and his ability as a legislator, his ability as a leader, and the contribution that he has made to this society, to this Nation, and to this world. Yet we try—and try with his advice.

He is an important American of distinction. He is someone who truly deserves to be recognized. He is one who has touched many lives individually and millions of lives collectively. He is the epitome of the greatest generation, the generation that served the rest of mankind, to be beat off Fascism, Hitler, Communism, and gave us the freest world that we have known.

There are still wars to be fought, still battles to be fought, and we pick up the flag and carry it each and every day, but we owe so much in tribute to legendary leaders such as Bob Dole.

Senator Dole, on behalf of our country and our State, certainly from me personally, I say, thank you and God bless you.

Mr. McCAIN. Mr. President, I am pleased to join with my colleagues in paying tribute to one of our Senate's finest leaders, Senator Bob Dole.

Ten years ago, after representing his home State of Kansas in the House of Representatives for 8 years and in the Senate for over 27 years, Majority Leader Dole resigned from the Senate. He did so in order to engage fully all of his attentions to his Presidential campaign. The Senate lost one of our greatest leaders that day, but Bob Dole continues to be a national leader to this day.

I traveled with him a great deal during his campaign, and it was a thrill for me. I was given the honor of introducing him at the 1996 Republican Convention—quite a humbling privilege for someone who considers himself far less distinguished than the man I was introducing formally to the Nation as

the Republican candidate for the President. He may not have won that election, but he ran an honorable campaign and worked as hard as anyone I have ever seen on the campaign trail. Bob helped teach me the meaning of dedicating one's live to a cause greater than one's self-interest, and for this I will always be thankful.

Everyone knows that Bob is a decorated veteran through his sacrifice in World War II and that he faced a very hard road to recovery upon his return—a road that many selfless men and women today are similarly facing upon their return from the war in Iran and Afghanistan. Like Bob, they, too, are American heroes and they need and deserve to be reminded of that fact as often as possible.

Bob Dole's distinction among his peers could have rested with his military service. But instead, he chose to continue serving his country and was as effective as he was, in my view, largely because of his experience as a war veteran. For example, his Senate leadership was essential to the efforts of Presidents Reagan and Bush to win the Cold War. He built majority coalitions to help restore the readiness and modernization of our Armed Forces, which had been so badly neglected in the previous decade. Thanks to his vision, America is better prepared to defend herself and others from those who want to cause us harm.

While Bob may no longer be daily in the public eye as he enjoys life in the private sector, he still continues to focus his energy on issues of importance to our country. He cochaired the Families of Freedom Scholarship Fund with former President Clinton, helping to raise money for the families of the victims of 9/11 to pursue secondary educations. Bob also continues with his efforts on behalf of the disabled. And, of course, since leaving the Senate 10 years ago, he is also now enjoying the obligations of a Senator's spouse.

Bob Dole is an American hero, and I am privileged to call him my friend.

The ACTING PRESIDENT pro tempore. The majority's time has expired.

Mr. SMITH. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, will you please inform me of the business before the Senate.

The ACTING PRESIDENT pro tempore. The Senate is in a period of morning business. The minority's time has begun, with 28 minutes 30 seconds remaining.

OPPOSITION TO THE NOMINATION OF RICHARD STICKLER

Mr. DURBIN. Mr. President, I rise to oppose the confirmation of Richard Sticker as Assistant Secretary of Labor for Mine Safety. I also ask the Senate to send a message of confidence and hope to the miners across America that we in the Senate are no longer willing to put coal industry executives that care more about profits than lives in charge of their safety.

How many of us recall the recent news stories coming out of Kentucky and West Virginia—heartbreaking stories—where lives were lost and families waited expectantly aboveground praying that those miners would be found and be brought back safely, and how many times that was not the case.

What brings about safety in these coal mines, so deep in the Earth? The vigilance of the agencies, Federal and State, that keep an eye on the companies that are operating out of the view of most of the world. Those are the things that are important. Today, we will have a chance to vote on a man who wants to head the Federal agency when it comes to mine safety. Unfortunately, Mr. Stickler is yet another in a long line of coal industry executives nominated by this administration.

The last industry appointee to the Mine Safety and Health Administration withdrew or delayed final action on 18 mine safety rules. The result was disastrous—disastrous to the tune of 33 coal mine deaths in America in 2006.

Two of the rules that could have been enacted and were not by the predecessor to the man being appointed to this position had the potential to speed the rescue and increase the chance of survival for the 14 miners killed in the recent West Virginian Sago and Alma mine disasters. One would have sped up the formation of rescue teams. The other would have provided more oxygen for the miners. Both of these rules could have saved miners' lives this year. But the Mine Safety and Health Administration didn't enact the rules. Why? Because doing so would have cost the coal companies money. It is just that simple. And now 33 miners have paid with their lives, and Congress was forced to act.

We passed a new law this year—a law that was pushed by the Senators from West Virginia, Senators BYRD and ROCKEFELLER—which I was happy to support because of the coal mining in my own home State of Illinois. It is called the Mine Improvement and New Emergency Response Act of 2006. It mandates the formation of two mine safety teams available within an hour of an accident. Such quick response mine rescue teams might have saved lives at these coal mines in America this year.

This new law also mandates the purchase of wireless tracking and messaging equipment and extra oxygen for miners underground. Both of these provisions could also have saved lives.

My concern with Mr. Stickler's nomination is not solely that he is a coal executive—that doesn't disqualify him—but that he clearly stated during his confirmation hearing that these new provisions in the law are not needed. He unequivocally stated that no new laws are needed and that the laws on the books, which haven't been updated, incidentally, in 30 years, to adjust for new technology in coal mining, according to Mr. Stickler, those 30-year-old laws are just fine. And he said this after the Sago mine explosion that took the lives of 12 coal miners.

I can't support a nominee to be head of mine safety when he opposes the recently passed Miner Act. This law, which the Senate passed by unanimous consent, without one single Senator dissenting, was a recognition by all of us that mine safety laws need to be updated in order to protect the coal miners and to stop the unnecessary and sad and tragic loss of life. But Mr. Stickler, who wants to be head of this Federal agency to protect coal miners across America, disagrees.

Furthermore, Mr. Stickler argues that the duty to comply with safety laws falls on the shoulders of the mine companies, and that the agency he wants to head plays no role. He told a committee of the Senate that he believes there is a compliance problem, not an enforcement problem, in the mine industry. Mr. Stickler doesn't seem to understand that without enforcement, there will be no compliance. Any industry left on its own to comply with Federal and local laws will often fail to do so. That is a reality—a reality Mr. Stickler doesn't even understand.

I am astonished that President Bush would nominate a person to head this important safety agency who has such little regard for the need to enforce the laws of the land, to protect the lives of coal miners, and to spare families from the grief that so many have suffered this year.

Mr. Stickler's statements at his confirmation hearing fly in the face of reality, and I ask: What do his comments say to the families of those 33 lost miners?

Many of these families oppose the confirmation of Mr. Stickler because of his opposition to revising mine safety laws and his live-and-let-live position on enforcement regulations. They are not alone. The United Mine Workers and the AFL–CIO also oppose Mr. Stickler's nomination. All of us in the Senate supported passage of a new law to save miners' lives. We unanimously supported it. Mr. Stickler doesn't believe that legislation was even necessary.

We also know that enforcement of the laws is needed to compel mine operators to comply with the laws. Mr. Stickler, again, disagrees.

We learned a bitter lesson about 11 months ago on the gulf coast. Hurricane Katrina, the worst natural disaster to strike America, came with warning, devastating New Orleans and many communities in Louisiana, Mississippi, and Alabama. Even with 3 or 4

days' warning that this hurricane was about to strike and could have devastating impact, the Federal Emergency Management Administration was not ready. They were not prepared.

Unfortunately, the person who headed up the agency effort, Mr. Michael Brown, didn't do everything he could have done and, as a result, lives were lost, people suffered, there was damage that was totally unnecessary, and the rescue effort was slow to come and, sadly, too late for many.

The lesson from Michael Brown at FEMA was that you don't put a person whose speciality in life is Arabian horses in charge of the Federal Emergency Management Administration. He wasn't ready for the job, and as a result of that people died and people suffered.

So now what do we have today? We have Mr. Richard Stickler, an executive from a coal company, who is now going to be put in charge of watching coal companies. Why? Because he is charged with the safety of coal miners. When one listens to his responses to the questions at the committee hearing, it is clear that he has taken a position with which most coal companies would agree: We don't need no more regulation; we don't need no more enforcement; we don't need no more meddling Federal agencies.

Maybe that point of view would have prevailed some time past, but this year we know better.

Coal mining, one of the most dangerous occupations in America, has claimed 33 lives this year. This Congress understood it. We passed unanimously a change in the law to protect those coal miners. We cannot afford to put in that agency a person in charge who is not going to spend every minute and every ounce of his strength to protect those coal miners and be an advocate for their families. Mr. Stickler is not that person.

On behalf of the 3,500 coal miners in my home State of Illinois and all of the coal miners across the country, I urge my fellow Senators to oppose the confirmation of Mr. Stickler for this important position.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise today to join my colleague from Illinois in expressing my deep concern about the nomination of Richard Stickler to be Assistant Secretary of Labor for Mine Safety and Health. That is a long title, but it means one thing: This is the person who is going to be in charge of the health and safety of every miner in America.

That is a very serious responsibility, and it requires a serious leader, someone with a strong background in mine safety and a strong commitment to aggressively protect America's mine workers. I sit on the committee that oversees the nomination. I have to tell the Senate, Mr. Stickler offered neither. I believe the President, respectfully, should withdraw his nomination and send us at this time a more suitable nominee.

As we all know, just 6 months ago, 12 miners were killed in the Sago disaster. In the wake of that tragedy, many of us in the Senate worked hard—and I commend the Senator who is sitting in the chair for his work—on this incredibly important issue. We did the right thing. We came together and passed the most comprehensive mine safety update in a generation.

I was honored to work on that historic bill with Senators KENNEDY and ENZI, Senator ISAKSON, who is in the chair, and Senators ROCKEFELLER and BYRD. But we have to do more than just pass a law. We need to make sure we provide the resources, and we need to make sure we provide the leadership to carry this out. That is why it is so disturbing to me that the Senate majority leader is today trying to push an unqualified nominee through to head this agency.

Senator BYRD, who represents the Sago families, has raised some very valid concerns about Mr. Stickler's qualifications and, following Senate tradition, those concerns should be heeded. They should give all of us pause. Indeed, we see the leadership today departing from the usual process and trying now to push this nominee through the Senate. I believe that is the wrong course of action when the lives of our American miners are at stake.

Mr. President, as you well know, I am very passionate about this issue because I have worked on mine safety issues with you and with the Senator who is arriving on the floor as I speak, Senator KENNEDY. In fact, at the hearing of this nominee, it was my questioning of his confirmation hearing that revealed to me his business-as-usual approach to miner health and safety.

When Richard Stickler testified at his HELP confirmation hearing in January, he told me he believed the current mine safety laws are adequate. That was before we passed our legislation. He said those current mine safety laws were adequate. I couldn't disagree more, and neither could the House and Senate, which, after that, passed the most significant mine safety improvements in a generation.

I was disappointed in his responses at the hearing, so I asked him further questions in writing. In reply to that, Mr. Stickler could not suggest a single way to improve mine safety—not one single suggestion. Think about that for a minute. We would not put someone in charge of food safety who has no idea about how to make consumers safe. We wouldn't put someone in charge of airline safety who has no idea how to make air traffic safer. And we certainly shouldn't put someone in charge of mine safety who has no idea about how to make our mines safer.

We need a leader now more than ever at the Mine Safety and Health Administration who will not just accept the status quo that has cost miners their lives in this country. It is a wrong turn to have the enforcement of our mine safety laws turned over to a former coal company executive with no background in miner health and safety.

Here is how the head of the United Mine Workers of America put it in a letter to President Bush. He said:

> The Nation's miners cannot tolerate having another mine executive running the agency responsible for protecting their health and their safety. For too many years, miners have endured an agency directed by coal mining executives. Too often these mining executives place a priority on productivity, but fail to focus on miners' health and safety. Too many times MSHA has not done all it is charged with doing to promote miners' health and safety.

Clearly, we need a new direction at that agency and, clearly, Mr. Stickler does not provide a new kind of direction.

The words that I just quoted are the words of Cecil Roberts, international president of the United Mine Workers of America. He and the AFL–CIO oppose this nomination and with good reason.

With America's miners risking their lives every day, as we all know—and a new law in place, thankfully, because of the leadership of the Presiding Officer, that has to be vigorously enforced—we cannot entrust our mine safety to someone who has not shown the background or the passion or the desire to make sure those laws work well and will fight for the health and safety of American miners.

When it comes to mine safety, we know now that we cannot tolerate business as usual. I believe the Senate should reject this nominee and demand a leader, someone who will stand up for our miners.

Mr. KENNEDY. Mr. President, will the Senator be good enough to yield?

Mrs. MURRAY. Yes, I will.

Mr. KENNEDY. I ask the Chair, how much time do we have remaining on our side?

The ACTING PRESIDENT pro tempore. There is 12 minutes 55 seconds remaining.

Mr. KENNEDY. Will the Presiding Officer let us know when we have 7 minutes remaining?

The ACTING PRESIDENT pro tempore. Yes.

Mr. KENNEDY. Mr. President, I thank the Senator from Washington, who is the ranking member of the subcommittee that has been dealing with this issue, for an excellent statement. I wonder if she agrees with me that we have passed very important mine safety legislation that the President of the United States is going to sign. It has strong bipartisan support. Our committee, which was led by Chairman ENZI, visited the Sago mine. We had extensive hearings on the issue. Does the Senator agree with me that if we are going to have this new beginning in terms of mine safety that we need to have someone who is going to effectively run that program, who is going

to be someone who understands both the history of what has been happening in the mines in West Virginia, in Pennsylvania, in Kentucky, and throughout the Midwest, and has demonstrated leadership in terms of protecting miners? Does the Senator agree with me that what we are looking for is strong leadership to implement that legislation?

Mrs. MURRAY. Mr. President, I would say to my friend from Massachusetts through the Acting President pro tempore, I couldn't agree more. I think the country sat at its dinner tables and watched the mine accidents that have occurred increasingly over the past year. So we understand what it takes in this country is leadership at an agency. Just look back at what happened with Katrina with the head of FEMA. It takes leadership in an agency. It takes all of us to put laws in place. But if there is not someone at the head of that agency who is sending a direction down through the ranks that our miners' safety and health has to come first, any law we pass will just be something written in a book.

Mr. KENNEDY. Mr. President, would the Senator agree with me that there are, it seems to me, three major tests. We all know that Mr. Stickler was a miner and comes from a mining family, and we respect that. We have a great deal of respect for that. I am sure he was a great miner, as is his family, I am sure. But what we are looking at now is the record of Mr. Stickler regarding mine safety.

Would the Senator agree with me that if you look over the record that he has in terms of mine safety—this chart represents the Stickler-managed mines which racked up thousands of safety citations. This is 1989 all the way through 1996. There were a total of 2,800 citations, 97 closures, and we have here—there is some time overlap between that chart and this one—the Eagle's Nest Mine where the managed mine injury rate is nearly triple the national average.

So we have the citations which are an indication in terms of the mine safety, we have a comparison with what has happened in terms of the average, and then when he was running the mine safety program in Pennsylvania, we had inspectors who were threatening to quit because they thought he was failing to protect miners. This chart shows the mine safety inspectors and harmed coal miners, and his policy—that is the policy of Mr. Stickler—is a detriment to safety that would, without a doubt, make the coal industry less safe for two-thirds of its workers.

So we have his record in terms of mine safety in the mines. As an administrator, we have inspectors of the mines who are prepared to resign. Then, the third strike, which I think is enormously powerful, is, as the Senator from Washington pointed out, his response to the questions.

The Senator remembers, because she commented on this, when he was asked whether there needed to be any changes in the existing law, he said he thought that the existing laws were adequate. This is prior to the time that we passed the new legislation, as I remember.

Mrs. MURRAY. Mr. President, I would answer the Senator in saying, that is absolutely correct. Prior to any action by this body and the House in passing tougher laws, this nominee said no changes were needed.

Mr. KENNEDY. And when he was asked whether he would implement the law requiring a mine rescue team on site at every mine, Mr. Stickler said: No, Senator, I can't commit to that at this time. I will study this.

Does the Senator remember that when asked what he would do with information about new mine safety technology, Stickler said: I think that needs to be looked at.

When asked whether he would require the use of new technology like tracking devices, Stickler said: I look forward to reviewing the results of the technical evaluation.

When asked whether he would enforce the current standard prohibiting the use of belt air if it was shown that the use of belt air caused the Alma mine fire, Stickler said: I would reevaluate the standard. Here are the series of questions, many of them asked by the Senator from Washington and others.

Does the Senator not agree with me having read the answers, plus attending the hearing, that one could say that the miners of this country deserve to have someone who is going to be more aggressive in terms of looking at new technology and in looking at additional safety standards, in looking at more effective kinds of enforcement and protecting the lives of the workers?

The ACTING PRESIDENT pro tempore. There are 7 minutes remaining.

Mr. KENNEDY. I would ask the Chair to let us know when 2 minutes remain.

Mrs. MURRAY. Mr. President, I would just say to the Senator from Massachusetts, I want in charge of this agency someone who will stand up and say, We are going to make the mines safer for the families who send a loved one there every day.

I went to that hearing, and all of what the Senator from Massachusetts just presented and the attitude this nominee presented—to me, this is not someone, despite his background, who is going to stand up and lead. I believe that we need to send this nominee back and we need to have somebody who we can proudly say is going to lead this agency at a most critical time.

Mr. KENNEDY. Mr. President, finally, I would like to get the Senator's reaction to these letters that we have gotten from families of those who were lost in the Sago mines and in other mines. I found them enormously powerful. When we visited the Sago mine, we had—I see in the Chair presiding over the Senate a member of our committee and someone who was enormously involved and active in getting this legislation passed, and I pay tribute to Senator ISAKSON. But in that meeting, I can remember it was the sense of all of the members, Republicans and Democrats, who were so moved by the tremendous tragedy and sadness, particularly when they had the sense of hope at the Sago mines that their loved ones might have been able to survive we made a commitment to them that we were going to do everything possible to make sure that others who go into the mines were going to be protected. We have come back here and passed a good, bipartisan bill, and also in the House of Representatives. There was a real question among many of us here whether we could get a good one that the President would sign, and now the President has announced that he is going to sign it on Thursday.

The mines themselves are having record problems. The mines themselves we find out are having record deaths. We passed good legislation and we promised those individuals that we were going to do everything we possibly could to make sure that the tragedies that happened to their loved ones would not happen again.

We passed the legislation. Now we have the letters from so many of these families who have read the record of this individual and have pleaded with us—pleaded with us—pleaded with us, that if we honor the memory of those who died in these mines, that we put someone in charge who is going to really implement that legislation and to fight for safety.

Is the Senator not moved, as I am, by the letters we received from the miners' families who have been lost, many of whom came to our hearings and who listened to the testimony on this individual? They have studied his record, and now they plead with us—plead with us—that we get someone else to provide the leadership for implementing the mine safety laws. Is the Senator moved by those letters?

Mrs. MURRAY. Mr. President, I would say to the Senator from Massachusetts, every Senator on this floor should take a few minutes to read those letters from the families who have been impacted by mining disasters. I would say to my colleagues and to the President that we ought to be thinking we have to put someone in place in this agency who is going to wake up every single day he is on the job and say, What am I doing to make sure that in my responsibility of taking care of hundreds of miners every single day, I am moving the ball forward.

I have to say to the Senator from Massachusetts, there was no passion when I saw the presentation. I did not see someone in front of me who understood the tremendous responsibility that he was being given and who would wake up every single day and say, What am I doing to improve mine safety? That is my responsibility.

That is the kind of person I want in charge of this agency, I say to my friend from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senator. If I could have recognition myself.

The ACTING PRESIDENT pro tempore. The Senator is recognized for 2 minutes and 30 seconds.

Mr. KENNEDY. Mr. President, I want to thank the Senator from Washington again. We have worked very closely together. We have worked with the administration. We have worked with our colleagues and friends, Senator ROCKEFELLER and Senator BYRD. We have worked together with Governor Manchin and other Governors. We have worked with the workers, the mine workers, the families. We have worked very closely together. This isn't in any sense a partisan issue. We have come together. There wasn't a dissenting vote here in the U.S. Senate in passing this legislation. There were a few votes in the House that wanted to have even stronger legislation. So we are basically all together and we are asking ourselves, given the fact we are all together and given the fact that we have this extraordinary challenge and problem that is affecting these workers, are they not entitled to someone who is going to be an effective leader in terms of providing safety.

I commend the Senator from Washington for making a strong case. We want to try to have a common position with our colleagues and friends within the administration. But this person—if we are going to I think meet our responsibility to those miners, we have to do better.

I thank my friend from Washington for her excellent presentation. I thank her for her conclusions.

We are facing a major challenge in this Nation about safety in our mines. We have seen the expansion of these mines as our energy situation has become more acute, and now is the time to have real implementation. Now is the time to fulfill our commitment to these families and to these workers. Now is the time to honor the memory of those who have gone into the mines and who have lost their lives. Now is the time to help those whose primary desire is honoring the members of their families by passing an effective bill and have it implemented effectively. Now is the time to do that. If we are going to do that, this is not the individual who is equipped to be able to do it. He is a fine gentleman, and I admire the fact he and his family have been miners. But you have to look at the record: Whether he has been running the mines and overseeing the mines effectively. In testifying, by nature of disposition, he is not the man to implement this, and we should reject his nomination.

The ACTING PRESIDENT pro tempore. The minority time has expired.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2766 which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2766) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Warner (for Frist/Reid) amendment No. 4208, to express the sense of Congress that the United States Armed Forces, the intelligence community, and other agencies, as well as the coalition partners of the United States and the Iraqi Security Forces should be commended for their actions that resulted in the death of Abu Musab al-Zarqawi, the leader of the al-Qaida in Iraq terrorist organization and the most wanted terrorist in Iraq.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:15 p.m. shall be equally divided between the Senator from Virginia, Mr. WARNER, and the Senator from Michigan, Mr. LEVIN, or their designees.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SUNUNU). Without objection, it is so ordered.

Mr. LEVIN. Pursuant to the unanimous consent agreement which we adopted last night, it is my recollection that on the Democratic side we were going to be offering an amendment immediately following the pending Warner amendment.

I stand corrected. Apparently there was an understanding on this, between myself and Senator WARNER, which was not incorporated.

The PRESIDING OFFICER. An understanding but not a consent agreement.

Mr. LEVIN. I thank the Presiding Officer. Pursuant to that understanding, then, I ask unanimous consent that the pending Warner amendment be temporarily laid aside so I can offer an amendment on behalf of Senator LAUTENBERG.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized.

AMENDMENT NO. 4205

Mr. LEVIN. Mr. President, I call up amendment No. 4205, an amendment on behalf of Senator LAUTENBERG, and ask for its immediate consideration following the disposition of the Warner bipartisan amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan (Mr. LEVIN) for Mr. LAUTENBERG, proposes an amendment numbered 4205.

Mr. LEVIN. 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 a temporary prohibition on an increase in copayments required under the retail pharmacy system of the pharmacy benefits program of the Department of Defense)

At the end of subtitle A of title VII, add the following:

SEC. 707. TEMPORARY PROHIBITION ON INCREASE IN COPAYMENTS UNDER RETAIL PHARMACY SYSTEM OF PHARMACY BENEFITS PROGRAM.

Subsection (a)(6) of section 1074g of title 10, United States Code, as amended by section 702(b) of this Act, is further amended by adding at the end the following new subparagraph:

''(D) During the period beginning on April 1, 2006, and ending on December 31, 2007, the cost sharing requirements established under this paragraph for pharmaceutical agents available through retail pharmacies covered by paragraph (2)(E)(ii) may not exceed amounts as follows:

''(i) In the case of generic agents, $3.

''(ii) In the case of formulary agents, $9.

''(iii) In the case of nonformulary agents, $22.''.

Mr. LEVIN. Mr. President, the President's budget proposes that the copays for prescriptions under the TRICARE Prescription Benefit Program be increased for our troops and their families and for retirees, and that the increase in the copays be, on the generic prescriptions, from $3 to $5; on brand-name prescriptions from $9 to $15. The amendment that Senator LAUTENBERG is offering and that I very much support would freeze the current copays in place until December 31, 2007.

This is not the time, in the middle of a war, to be raising copays on our military personnel and their families. They should not have to worry about whether their families are going to be able to afford to buy prescription drugs. The copays that currently exist are not statutory, so the Department of Defense does not need legislative authority to increase them. They have their authority. The problem is that our bill is silent on this subject so they would be increasing the copay because there is no prohibition in our bill on their doing so.

About 43 percent of the prescriptions filled through the TRICARE pharmacy benefits program are filled in retail pharmacies. The increase which the administration proposes would significantly increase beneficiary cost shares for medical care. Of course, the fear is not only that it would be additional

money coming out of the pockets of our troops and their families, but also this increase would discourage beneficiaries from using their military health care benefit.

The Department of Defense has estimated that the copayments would create additional revenue of $81 million in fiscal year 2007. They also believe beneficiaries would not use their military pharmacy benefits to the same extent and that would mean that there would be savings to the Government of $54 million and there would also be some savings if beneficiaries switch to mail order rather than retail pharmacies.

I don't think we ought to be assuming savings or counting on savings coming out of the pockets of our troops and their families while we are at war. I think it is a totally inappropriate time to do so, so I support the Lautenberg amendment. For a soldier in combat, under these circumstances, the circumstances that exist these days, to have a worry that a spouse or children would not get needed prescriptions because of the administration's desire to save some money is simply unconscionable.

The Senate bill directs a Comptroller General study of the DOD pharmacy benefit program to examine the cost and copayments structure of the program. We clearly ought to await that before we allow these copays to be increased as the administration budget proposes.

I see my dear friend and colleague, Senator WARNER, our chairman, on the floor now. We had an understanding that we would lay down this amendment this morning, that I would lay it down on behalf of Senator LAUTENBERG and speak briefly in support of it, and that after the disposition of the chairman's amendment, which is a bipartisan amendment, we would then come back to the Lautenberg amendment and at that point there would be additional debate—Senator LAUTENBERG would speak in support of his amendment and any others who wish to debate it would have an opportunity at that time.

We thought, given our understanding last night, we would lay this amendment down at this time. I have just done so.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, the distinguished ranking member, my good friend, the Senator from Michigan, is correct. We laid down an amendment on this side under the understanding this is the amendment that he selected to be laid down. I am just wondering if we can try to get some idea of the magnitude of the debate? I am not able to assess it on my side. I judge you are not. So we have some understanding of the time that is likely to be consumed in the debate—this is an important amendment—we will work on that together, in hopes we can get some time agreement and therefore we can then move on to other amendments.

I would simply ask unanimous consent that at the conclusion of the debate or the disposition of this amendment, that I be recognized to offer another amendment at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I say to my distinguished colleague, it is my hope then we could alternate from side to side, so we could consider your amendment which would follow the third amendment, which I will put on.

Mr. LEVIN. I appreciate that. That is fine with us.

Mr. President, I suggest the absence of a quorum and ask the time be equally divided.

The PRESIDING OFFICER. Without objection, the time allotted to the quorum call will be equally divided.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. BROWNBACK are printed in today's RECORD under "Morning Business.")

Mr. BROWNBACK. I yield the floor.

The Senator from Virginia.

Mr. WARNER. Mr. President, I yield such time as the distinguished Senator from Oklahoma may require. He will be speaking with regard to a very important trip to Iraq. It bears directly on the pending measure; that is, a resolution on the success of our military in eliminating al-Zarqawi.

I yield to the Senator such time as he desires.

Mr. INHOFE. Mr. President, I thank the Senator from Virginia, the chairman of the Senate Armed Services Committee, and also for the great job he has done in bringing this Defense authorization bill to the floor.

Mr. President, on early Thursday morning, about 5:30, my radio alarm went off and I heard the three words—al-Zarqawi is dead. I think that affected me by just hearing that. I sat up in bed, and I thought it did work. It is happening. I told the distinguished chairman of the Senate Armed Services Committee that I have to go to Iraq.

The two most significant things that have happened in Iraq since bringing down Saddam Hussein happened on the same date, coincidentally. It is just remarkable: first of all, bringing down al-Zarqawi, the monster, and at the same time confirming the ministers in Iraq. We thought that would be a long, enduring battle. It sailed through, and it happened on the same day.

I can't tell you what a profound effect it had on the people of Iraq and on our troops over there. And now we find out about the surprise visit by the President. I figured out that our planes crossed on the way. I was coming back from Iraq and he was going to Iraq. If I had known that, I would have stayed. But it was a pretty well-guarded secret. Of the two places I spent most of my time, this one was where al-Zarqawi was actually killed, just a couple of miles north of Balad Air Force Base and then in Baghdad.

It was such an incredible thing to be there after it happened and to talk to the different ministers. Defense Minister Jasim is the new Defense Minister, and he had a lot of things to say. In fact, he asked me to bring back this message for the American people. I am going to read this, because this came just a few hours ago from Defense Minister Jasim to me to take to the American people. He said:

> Tell them their sacrifice is for a very noble cause, they have given freedom to 26 million people. I believe they are waging a just war for humanity. The terrorism must be stopped or it will spread all over the world, like a carbon copy of fascism and communism. This is the first world war of the 21st century. The American victims have borne the price of a freer world . . . We are very grateful . . . The war in Iraq is a just war and we have no option but victory. It is not a war that affects Iraq alone, but is truly a world war.
>
> The terrorists are a sickness that must be eliminated . . . There is great transformation taking place in Iraq but the international media does not focus on positive things happening. They only focus on the negative, the bad things happening . . . what the terrorists are doing . . . they will publish anything bad . . . They try to say Americans are leading the way and we the Iraqis are in the back. This is the opposite. We are in the front and Americans are in the back.
>
> We started with the multi-national forces in front and us at back. Then we worked side by side as very good partners. Now we are often in front and the multinational forces are in a supporting role.
>
> Your presence here is very important. From the beginning to now, we have always had an American partner. I am sad when my American partner leaves me. But, when he leaves and returns to the U.S. I feel we have a voice going back to America. I fell in love with the American people.

That is Abdul Jasim, who is the newly confirmed Minister of Defense. He said so many other things when we were there that I would like to share, but it is very difficult to do that because he was so emotional at the time.

Well, this happened to be my 11th trip over to the Iraq AOR, and I have been watching, as the months have gone by—every other month or so being over there—and seeing the differences, seeing the changes that are taking place.

Just to give you an example, one of the tests we use to determine how strong the Iraqi people are supporting us is the number of qualified tips that come in. The way they come in is where someone says, for example: There is a safe house over here. We suspect something. These are Iraqi people saying where the terrorists are. And those numbers of tips have increased tenfold in the last 12 months. I can remember when there were only 30 or 40 tips a month. There are now 5,000 tips a month, and they are qualified tips. Some of these tips led to not just bringing down al-Zarqawi but also

some 17 others on the same day. So these things are going on. These things are happening.

As to the quality of the Iraqi security forces, I think Minister of Defense Jasim is right. He sees that our media is not accurately reporting what is going on over there. How many people in America know that as of the current time, 75 percent of the special operations by Iraqis are actually led by Iraqis, not by Americans? We are leading 25 percent. I remember when it was zero percent. Now, they are leading 75 percent. And 62 of the 112 battalions are at level 2 or level 1. That means they are capable of going out and fighting. That is half of them.

One of the statistics we got from Dr. Rubaie, who is the National Security Adviser—a real sharp guy and one who really has his hand on this—says 66 percent of the hospital beds are occupied by Americans and 34 percent by Iraqis. However, 66 percent of the surgeries are on Iraqis and 34 percent are on Americans. That kind of tells you what is happening over there and the change that is taking place. They are the ones who are doing it.

While we were over in Balad, we had occasion to learn there were several attacks on Iraqis. Some 50 Iraqis were killed last night, and they were killed by the terrorists. Here is the important thing. Zarqawi was not an Iraqi; he was Jordanian. Osama bin Laden is not an Iraqi; he is Saudi. Now, this new guy, al-Muhajer, we don't know about him. All we know is he is not an Iraqi. In other words, this is a war being waged by people from outside of Iraq on the Iraqis, and the Iraqi people are very sensitive to it. They know it.

It is interesting, one of the things the Minister of Defense said is that a lot of things are American issues, they are not really issues over there. For example, all we talk about in the media here is, well, we have the Shiites and the Sunnis, and they do not like each other. And he said that is not true at all. He said: We are Iraqis first, and then we are Sunnis or Shiites or Kurds second. To demonstrate that, there is a structure over there in Baghdad which is comparable to our Tomb of the Unknown Soldier. We stopped there. They had an honor guard there. The honor guard had nine people. They had one leader and eight others. When I asked him the question, through a translator: What about the problem that exists between the Shias and the Sunnis, he said: No, that is not true at all. He said: I am a Shia. My wife is Sunni. And I have been working on the honor guard with these people for several days here at our Unknown Soldier event, and I don't know who they are. I can't tell you who one of the eight is in terms of being a Sunni or a Shia.

So those are American problems. Those are not things resonating over there. And the quality of what they have done in terms of being quality soldiers is something the American people are not aware of. I had occasion to be up in Fallujah back when the last election took place, and I was there when the Iraqi security forces actually were doing their thing, voting. They were taking their lives in their own hands by doing it because this is Fallujah, one of the most dangerous areas over there.

They came back very proud. No one was killed while they were trying to do it. They came back and said: We are participating in an election. That was during the last election. Now everyone is confirmed. The government is in place. They know what they are doing. And the most recent thing, which you may not have heard of because it just happened, is that Dr. Rubaie, the National Security Adviser for the Iraqis, said he believes that in a matter of a very short period of time—by the end of the year—he will ask our troops to leave, except for 100,000. In other words, we are slowly bringing it down.

We have heard in the field a lot of things you do not hear when there are hearings here in Washington, DC. If you go over there and you talk to the people on the ground, talk to the commanders on the ground, they have said for a long period of time that when we can get to the point where we have 10 Iraqi divisions of trained and qualified and equipped Iraqi security forces—10 divisions—then they will be able to take care of their own security. Well, the number that equates to 10 divisions would equal 325,000 trained and equipped Iraqi troops. Well, we are right now, today, at 264,000 trained and equipped Iraqis.

Now, some of the adversaries over here say they are not really trained to do a good job, they are not really good soldiers. Let me tell you, they are. All you have to do is talk to our soldiers who train them. Now they train themselves.

Last week, I was over in Afghanistan, and they are doing a good job of training their own troops over there. And that model has worked very well in Iraq. So we are rapidly getting to that point. Will we be out altogether? No, we will not be out altogether, but they will be providing their own security. We still have troops in Kosovo and Bosnia and Sinai and other places but not providing the security. They will be providing their own security. We are getting so close to that point. What has happened in just the last few days is very significant.

So as to al-Zarqawi, there is no one who has been a more brutal terrorist than he has been. He was the No. 1 terrorist in the world, and he is down now. Al-Zarqawi was the one responsible for the assassination of our U.S. diplomat, Lawrence Foley, in 2002. We all remember the horrific things we saw: the beheading of Nicholas Berg in 2004—that was al-Zarqawi—the 2005 bombing of three hotels in Jordan, the countless bombings and terrorist attacks against U.S. forces and Iraqi civilians. He was trying to create a sectarian civil war in Iraq by murdering Shiites and acting as al-Qaida's commander in Iraq. Osama bin Laden called him the ''Prince.'' I think most people considered him, if anything, to have been even worse than Osama bin Laden. So that was a great change. That was a great victory for the coalition forces, but, more importantly, it was a victory for the Iraqi people.

So with these things happening—and you look at the good side that you do not get sometimes in the media—there are 18 provinces in Iraq, and 15 of them are relatively secure. There are hardly any incidents taking place there. Most of the problems are in just three of them. And keep in mind, these are not Iraqi terrorists; these are outsiders who are coming in. They are having a harder and harder time recruiting people to carry out their terrorist activities. We have found that recently they are actually changing their homicide vests for suicide vests so they can put them on individuals and force Iraqis to go and perform certain acts. And if they do not do it, they can, remotely, detonate and blow that Iraqi up.

So things like that are happening right now. At the same time, good things are happening with the administration. The government is in place. I cannot tell you how impressed I was personally with Dr. Rubaie. I have known him for a long period of time. And I would say that the Defense Minister, Abdul Jasim, has already acknowledged, from the quotes I have given, that he is one of our very best friends. He is the one who said al-Zarqawi was suffering from the same disease as Hitler and Stalin, and he is one who is going to finish the job that we helped them with in the beginning.

I would say this is a time when good things are happening, and we feel very good about the progress the Iraqi security forces are making, very good about the constitutional government that is in place, very good about the new Ministers who have been confirmed now. And we are light-years ahead of where we were only 6 months ago.

So this, what I have characterized as probably America being in the most threatened position we have been in in our history, is now showing that we are at the core of the terrorist activities, which is in Iraq. We are now winning. The Iraqi people are winning. So I feel very good about that.

Let me say to Senator WARNER, the chairman of our committee, I am very proud of the bill we have put together. I have some amendments, and I will want to be recognized at the appropriate time to bring them up.

I ask the Senator, do you have other people coming down wanting time right now?

Mr. WARNER. Mr. President, at the present time the bill is being amended by the amendment which you just addressed, and there is a pending amendment offered by the minority. That is the next order of business. This afternoon, I think there would be opportunity for additional amendments.

Mr. INHOFE. That would be good. I thought maybe I could describe what amendment would be coming and why.

Mr. WARNER. If the Senator so desires.

But, Mr. President, I first inquire as to the allocation of time on the pending measure.

The PRESIDING OFFICER. At this time, the majority controls an additional 11 minutes, the minority controls 23 minutes.

Mr. INHOFE. Mr. President, I yield the floor.

Mr. WARNER. If the Senator would like to take a minute or two, I would be happy to have you alert the Senate as to some of the matters you will be bringing up.

Mr. INHOFE. No. I say to the distinguished chairman of the Armed Services Committee, this amendment is very significant, and I will have ample opportunity to explain it. Hopefully, we can do that this afternoon.

With that, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WARNER. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The time will be charged equally.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. 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. WARNER. Mr. President, I ask unanimous consent that Senator SESSIONS be added as a cosponsor of amendment No. 4208.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, to return to the pending amendment offered by myself on behalf of the joint leadership of the Senate, this bipartisan amendment commends basically the U.S. Armed Forces, the intelligence community, and other agencies, along with coalition partners for the actions taken on June 7, 2006, that resulted in the death of Zarqawi, the leader of al-Qaida in Iraq. The military operation that resulted in the death of Zarqawi was truly an extraordinarily professional accomplishment of the combined U.S. and coalition forces and the infrastructure of intelligence, both civilian and military, that supported the operation. It displayed the precision, perseverence, and professionalism of our Armed Forces, supported by a sophisticated and superb intelligence apparatus that included U.S., Iraqi, and coalition intelligence organizations.

Behind the details that were made public so far, I assure all that there were months of coordinated hard work by analysts, human intelligence operatives, special operations forces, and military planners which were in place at the time various pieces of information with a precise direction to the whereabouts of Zarqawi came into the knowledge of the intelligence operators.

The death of Zarqawi is certainly a significant blow to the terrorist network in Iraq, Osama bin Laden's international network, and the al-Qaida organization wherever they lurk in the world today in the shadows of death and destruction to the freedom of others. At Camp David yesterday the President was very careful to, with a sense of deep humility, commend the men and women of the Armed Forces and others who performed this mission, but he put the results of the mission in the context of the realities of the situation in Iraq. The press today reports from Camp David the following by the President:

> Zarqawi is dead, but the difficult and necessary mission in Iraq continues. We can expect the terrorists and insurgents to carry on without him. We can expect sectarian violence to continue. Yet the ideology of terror has lost one of its most visible and aggressive leaders.

I will have further comments today with regard to that important conference in Camp David. Zarqawi was the most prominent insurgent in Iraq and the most active of any of Bin Laden's affiliates around the globe. While Bin Laden hides in mountain caves capable of making occasional audio tapes, Zarqawi was working to trigger a civil war, disrupt the newly unified democratic process of the new unity Government in Iraq, and then use Iraq as a base to launch attacks throughout the region. There is proof of that intent by Zarqawi. This amendment proudly salutes the brave and professional work of our military forces as well as the formidable efforts of our military, civilian, and allied intelligence operations for our efforts to end this brutal reign of terror.

The operation that resulted in the death of Zarqawi was not an isolated act. It triggered 56 more raids against targets connected with Zarqawi's organization in the 48 hours after his death as U.S., coalition, and Iraqi forces capitalized on this mission by taking action to disrupt other parts of the al-Qaida network. This amendment also commends our coalition partners in Iraq's new government of national unity for their invaluable assistance in the operation and their extraordinary efforts to secure a free and prosperous Iraq. The amendment closes by most appropriately commending our civilian leadership, from the Commander in Chief on down, and military leadership for their continuing efforts to eliminate the leadership of al-Qaida in Iraq and elsewhere. In all, this was a very successful joint and combined military operation. This mission was planned and executed by talented and courageous Americans, Iraqis, and coalition partners.

They all had one purpose—to eventually make Iraq safe and secure.

The operation that resulted in the death of Zarqawi may have eclipsed a very significant political development, the appointment of Ministers of Defense and the Interior, thereby ending weeks of political debate and completing the formation of Iraq's first permanent unity government. The death of Zarqawi and the appointment of these two Ministers are two very significant events in our unrelenting effort, with the coalition forces, toward a free and prosperous Iraq. While Iraq's insurgency and its divisions along religious lines will not easily recede, the death of Zarqawi and the complete formation of Iraq's government of national unity are reasons for renewed confidence that 2006 is a period of transition in Iraq and that our objectives are achievable.

I point that out because a year ago when we considered this bill, I, together with Senator LEVIN, put in an amendment which outlined the progress that had to be made in 2006. These are chapters toward achieving the goal we stated in that amendment which was part of our bill last year.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. 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. WARNER. Mr. President, I see one of our distinguished colleagues seeking recognition for an important set of comments.

The PRESIDING OFFICER. The Senator from Wisconsin.

(The remarks of Mr. KOHL are printed in today's RECORD under ''Morning Business.'')

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Without objection, the time will be divided equally.

The bill clerk proceeded to call the roll.

Mr. LEVIN. 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. LEVIN. Mr. President, I join my colleagues in first thanking the men and women of our military services who were responsible for the myriad of actions that were taken years ago that led to the ultimate elimination of such a vicious terrorist as Zarqawi. We also thank the men and women of our military services who are serving multiple tours of duty in arduous and dangerous locations with great personal sacrifice and great disruption in their lives and those of their family members.

The killing of Zarqawi is very welcome news. It is not the panacea for addressing the extreme levels of violence in Iraq or for solving the large

number of vexing issues—and the President has acknowledged as much—but it is an important step and one that will reduce the influence of al-Qaida in Iraq. He was responsible for a number of spectacular terrorist attacks that produced a large number of casualties and grizzly murders of kidnap victims. Zarqawi, while not the dominant part of the insurgency but a part of it, needed to be attacked and needed to be addressed. The insurgency, however, primarily is made up of disaffected Iraqi Sunnis. Zarqawi played a role in stirring up ethnic conflict between the Sunnis and the Shiites. Much of the violence relating to that conflict is traced to the reaction of Shiite militias to the Sunni insurgency and to, of course, their reaction to the Shiite militias. Our security forces need to confront those militias and the other armed groups.

I ask unanimous consent that I be allowed to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, there needs to be a political solution in addition to the military force which is present. Indeed, probably a more important event than the killing of Zarqawi was the selection by the Prime Minister and the ratification by the Iraqi Council of Representatives of the key ministries, Defense and Interior, and the National Security Adviser. Those vacancies lasted too long. Their filling, hopefully with people who have the support of all the Iraqi people who want Iraq to become a nation, is even a more important step than the killing of Zarqawi, as important as that step is.

As we all support—hopefully unanimously—this bipartisan amendment which is before us, we also need to recognize that there is critical work that remains to be done, and while this is a step toward, hopefully, a direction of Iraqi nationhood, most of the steps remain to be taken.

While Senator DURBIN is on the floor, I ask unanimous consent that immediately after the disposition of the next amendment of Senator WARNER, Senator DURBIN then be recognized, as we are alternating amendments, by my understanding.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Mr. President, I concur in that recommendation, and it is my hope that I can be a cosponsor on this side of the aisle because the amendment is very important.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4208

Mr. LEVIN. The pending amendment, Mr. President, as I understand it, is the amendment of Senator WARNER on behalf of Senator FRIST, Senator REID, and myself.

Mr. WARNER. That is correct.

Mr. BYRD. Mr. President, the Senate will vote today to commend the U.S. Armed Forces for their efforts in Iraq. I will support this amendment, as I have supported other amendments and resolutions to commend our military personnel serving overseas for their service and commitment. I oppose the policy that sent our troops to Iraq, but I stand by our servicemen and servicewomen 100 percent.

However, I am concerned that the amendment may have unintended consequences. Previous statements that boast of substantial victories in Iraq have been proven wrong at the cost of American lives. Declaring victory because of the elimination of Abu Musab al-Zarqawi could be a costly mistake. I agree with the President's comment on June 9, 2006, in which he said, ''I don't want the American people to think that a war is won with the death of one person.''

Our troops are still facing daily attacks in Iraq. I thank them for their service, and I am particularly proud of the efforts of the West Virginia National Guard in Iraq, Afghanistan, and many other locations around the world. Instead of seeking a lofty sounding but largely meaningless resolution from the Congress, the President should instead be working to send Congress a plan to start bringing our troops home with the honor and the thanks they have earned from this grateful Nation.

The PRESIDING OFFICER. Under the previous order, the hour of 12:15 p.m. having arrived, the Senate will proceed to a vote on amendment No. 4208.

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4208.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senator was necessarily absent: The Senator from Nevada (Mr. ENSIGN).

Further, if present and voting, the Senator from Nevada (Mr. ENSIGN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey (Mr. Menedez) would vote ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 168 Leg.]

YEAS—97

Akaka	Allen	Bennett
Alexander	Baucus	Biden
Allard	Bayh	Bingaman
Bond	Feinstein	Murkowski
Boxer	Frist	Murray
Brownback	Graham	Nelson (FL)
Bunning	Grassley	Nelson (NE)
Burns	Gregg	Obama
Burr	Hagel	Pryor
Byrd	Harkin	Reed
Cantwell	Hatch	Reid
Carper	Hutchison	Roberts
Chafee	Inhofe	Salazar
Chambliss	Inouye	Santorum
Clinton	Isakson	Sarbanes
Coburn	Jeffords	Schumer
Cochran	Johnson	Sessions
Coleman	Kennedy	Shelby
Collins	Kerry	Smith
Conrad	Kohl	Snowe
Cornyn	Kyl	Specter
Craig	Landrieu	Stabenow
Crapo	Lautenberg	Stevens
Dayton	Leahy	Sununu
DeMint	Levin	Talent
DeWine	Lieberman	Thomas
Dodd	Lincoln	Thune
Dole	Lott	Vitter
Domenici	Lugar	Voinovich
Dorgan	Martinez	Warner
Durbin	McCain	Wyden
Enzi	McConnell	
Feingold	Mikulski	

NOT VOTING—3

Ensign	Menendez	Rockefeller

The amendment (No. 4208) was agreed to.

Mr. WARNER. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I am anxious to consult with the distinguished ranking member of the committee here, so, for the moment, I will just ask for a quorum call before I put in the unanimous consent request.

Mr. President, I withdraw that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4211

Mr. WARNER. Mr. President, at this time I send to the desk an amendment. It has been agreed upon between the ranking member and that I would be recognized for the purpose of an amendment following the disposition of the Lautenberg amendment. So at this time I send an amendment to the desk and ask for its consideration following the disposition of the Lautenberg amendment.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia (Mr. WARNER) proposes and amendment numbered 4211.

Mr. WARNER. 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 name the CVN–78 aircraft carrier the U.S.S. Gerald Ford)

At the end of subtitle B of title X, add the following:

SEC. 1013. NAMING OF CVN–78 AIRCRAFT CARRIER AS THE U.S.S. GERALD FORD.

(a) FINDINGS.—Congress makes the following findings:

(1) Gerald R. Ford has served his country with honor and distinction for the past 64 years, and continues to serve.

(2) Gerald R. Ford joined the United States Naval Reserve in 1942 and served valiantly at sea on the U.S.S. Monterey (CVL–26) during World War II, taking part in major operations in the Pacific, including at Makin Island, Kwajalein, Truk, Saipan, and the Philippine Sea.

(3) The U.S.S. Monterey earned 10 battle stars, awarded for participation in battle, while Gerald R. Ford served on the vessel.

(4) Gerald R. Ford was first elected to the House of Representatives in 1948.

(5) In the course of 25 years of service in the House of Representatives, Gerald R. Ford distinguished himself by his exemplary record for character, decency, and trustworthiness.

(6) Throughout his service in Congress, Gerald R. Ford was an ardent proponent of strong national defense and international leadership by the United States.

(7) From 1965 to 1973, Gerald R. Ford served as minority leader of the House of Representatives, raising the standard for bipartisanship in his tireless fight for freedom, hope, and justice.

(8) In 1973, Gerald R. Ford was appointed by President Nixon to the office of Vice President of the United States with the overwhelming support of Congress.

(9) From 1974 to 1976, Gerald R. Ford served as the 38th President of the United States, taking office during one of the most challenging periods in the history of the United States and restoring the faith of the people of the United States in the office of the President through his steady leadership, courage, and ultimate integrity.

(10) President Gerald R. Ford helped restore the prestige of the United States in the world community by working to achieve peace in the Middle East, preserve détente with the Soviet Union, and set new limits on the spread of nuclear weapons.

(11) President Gerald R. Ford served as Commander in Chief of the Armed Forces of the United States with great dignity, supporting a strong Navy and a global military presence for the United State and honoring the men and women of the Armed Forces of the United States.

(12) Since leaving the office of President, Gerald R. Ford has been an international ambassador of American goodwill, a noted scholar and lecturer, a strong supporter of human rights, and a promoter of higher education.

(13) Gerald R. Ford was awarded the Medal of Freedom and the Congressional Gold Medal in 1999 in recognition of his contribution to the Nation.

(14) As President, Gerald R. Ford bore the weight of a constitutional crisis and guided the Nation on a path of healing and restored hope, earning forever the enduring respect and gratitude of the Nation.

(b) NAMING OF CVN–78 AIRCRAFT CARRIER.—CVN–78, a nuclear powered aircraft carrier of the Navy, shall be named the U.S.S. Gerald Ford.

Mr. WARNER. Mr. President, I ask unanimous consent the scheduled recess today be extended to 3:30 p.m., further that the cloture vote on the nomination of Richard Stickler be vitiated and at 3:30 p.m. the Senate proceed to the immediate consideration of the conference report to accompany H.R. 4939, the emergency supplemental appropriations bill.

Mr. BYRD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I wonder if my friend from Massachusetts, who was engaged when that request was made, has anything in response?

Mr. KENNEDY. Would the Senator be kind enough to vitiate the consent? I had talked to the leader and the concern—reserving the right to object—was if we vitiated this, the administration would go ahead and have a recess appointment. We understand we have the signing of the Mine Safety Act on Thursday. This was a real coming together, a bipartisan effort. The President is supporting it. It passed overwhelmingly in the House. It is a very important bill and will make a big difference. It has the support of the families.

We were at least looking for some opportunity, if it was going to be the position of the administration to go ahead and recess-appoint it—we wanted at least some assurance that we would have a chance to have the cloture vote prior to the time of the appointment. That is basically what we were looking at.

We have no objection to following the leaders, to vitiate this, but there is concern that we have vitiating this particular amendment. We understand even if we do or do not get cloture, the President could still have a recess appointment. But nonetheless, for those who feel very strongly about this nominee, at least at this point we are able to get a vote in one way or the other prior to the time of a recess appointment. It was that particular position that we did not want to give up.

Just so the Senator has some understanding about what we are looking for, we want to work with the leadership. As the Senator knows, there is a constitutional issue whether you can appoint during the short recess, which would be the Fourth of July recess. More often than not it is done in the August recess, which is well down the road, and we have the pending business which is of great importance to this.

We are glad to work with the leadership. If we could have the assurances from the Senator from Virginia that he understands our position and will make a good-faith effort to at least give us the opportunity—maybe the leadership doesn't want to give us that opportunity. That is what our position is, those who feel strongly about the Stickler nomination.

Mr. WARNER. Mr. President, I say to my good friend from Massachusetts and my distinguished colleague from West Virginia, I am not at liberty—I have no instructions from my leadership beyond propounding this. It was my understanding it was cleared on both sides. I assumed that when it was handed to me, and therefore I proceeded to request by unanimous consent these actions.

I think Members are anxious to go to a series of events now, namely the party caucuses, followed by the traditional photograph, and then there is a briefing at 2:30 by the Secretaries of State and Defense, which I believe is very important for Senators to have the opportunity to attend.

That is the purpose of this unanimous consent request.

Mr. KENNEDY. Would the Senator just defer and offer this maybe when we come right back in? Let's just work this out.

Mr. WARNER. Mr. President, the Senator has the right to object. That would do it. I can certainly say that I will relay the Senator's concerns to my leader. If that would suffice for the moment to allow this unanimous consent agreement to go forward? Would that be sufficient?

Mr. KENNEDY. Yes. I think we will be able to work this out. We want to. We have every desire to try to work it out. We would just like some assurances from the leader that our position will——

Mr. WARNER. I have just been given a note indicating the leader will be fully briefed about the concerns of the Senator from Massachusetts.

Mr. BYRD. Will the Senator yield, whoever has the floor?

Mr. WARNER. Yes, I believe, I say to the distinguished former leader, I have the floor, but I yield the floor to him.

Mr. BYRD. I simply thank the very distinguished Senator from Virginia for his response to the request and his willingness to withhold his unanimous consent request for the time being. I thank him.

Mr. WARNER. I propound the unanimous consent request.

The PRESIDING OFFICER. Is there an objection to the unanimous consent request?

Mr. BYRD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia reserves the right to object. Does he in fact object?

Mr. WARNER. You have my full attention.

Mr. BYRD. I am only reserving the right to object. I hope we would have just a little while to talk about this. I am very much opposed to this. But I read the tea leaves very well. If the Senator would just desist for the time being, please?

Mr. WARNER. If it is the desire of the Senator from West Virginia to object, I respect that right. The matter will now be put aside, if that is your desire.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The minority leader.

Mr. REID. I am sorry I was not on the floor. I thought we had this all worked out. It is my understanding there are people who want to go forward with the cloture vote, is that right? Because either we do the cloture vote at 3:30 or we take it off. The majority leader has told me that we take it off and he has the ability to reset it at any time he chooses or we have the vote at 3:30. It is as simple as that.

Mr. KENNEDY. If the Senator will yield, what we were looking for is that—we are glad to take it off. But we were hopeful, if it was going to be the desire to go ahead with a recess appointment, whenever that was, we at

least have an opportunity to have this vote sometime in the future. If they are not going to have the recess appointment, this disappears. But I hope we would have that opportunity at the present time. I do not think that is an unreasonable request, if it is the desire of the administration to move ahead with this nominee with a recess appointment, that at least we come back to where we are now and would have some opportunity to express ourselves. We would be giving that up if we just vitiate the whole thing. He could say we are going to go ahead and he is going to appoint him as a recess appointment during the July break or sometime in the August break. That is the dilemma that we are in.

Mr. REID. I have spoken to the majority leader. I hate to be speaking for him here, but he is not here. The majority leader said he has not spoken to anybody about a recess appointment. He doesn't know if they have any intention of doing that. He doesn't know. But he doesn't want to be constrained, so it would be my suggestion we just go ahead at 3:30, then, because doing anything other than that I think puts the majority leader in a real bind. I am willing to put him in a bind but not for anything that is my cause.

I suggest we withdraw the unanimous consent request and go ahead with a vote at 3:30, if people are demanding there be some conditions on taking away the vote. The unanimous consent request, as I understand it, is that the vote would be vitiated and the leader would reset that vote at any time he chose fit. Certainly the distinguished Senators from West Virginia and Massachusetts can talk to the majority leader, if they want to do that, following the vote being vitiated.

But unless there is an agreement on this unanimous consent request, basically that the vote scheduled for 3:30 today be vitiated and we go to the conference report on the emergency supplemental—if that is not the agreement, then I assume we would go to the vote at 3:30 and go to the supplemental at some later time.

Mr. WARNER. Mr. President, it seems to me that we could have the certainty, then, if the vote is to be held, that we could go immediately following the vote to the supplemental.

Mr. REID. That was discussed. I am not ready to do that.

Mr. WARNER. Then I think for the moment that we are confronted with the parliamentary situation whereby there is objection.

Mr. REID. I ask the Chair, what time is the vote set for?

The PRESIDING OFFICER. The vote is set for 2:30, with an hour of debate.

Mr. REID. The reason that is very awkward is because we have Secretary Rumsfeld and Secretary Rice coming here, and to have a knock-down, drag-out debate on this at this time doesn't seem to be very good for the body because it is reported that the President is on the way back from Iraq. I think we should go ahead with that schedule, which was to vitiate this vote, but we got wound up somehow in recess appointments the majority leader and I have never talked about. As I said to the floor and to the distinguished Senator from Massachusetts, he has not spoken to anybody about a recess appointment.

I ask the Senator from Massachusetts and the Senator from West Virginia: Do we go ahead with the schedule as we have it laid out, that at 2:30 p.m. we start the vote on Stickler, and those who want to be here for the debate on Stickler could do that, and those who want to go to the Rice-Rumsfeld hearing can do that?

Mr. KENNEDY. That is satisfactory.

Mr. REID. There is no unanimous consent request that we come here at 2:30 to start the debate on Stickler, and there will be a vote at 3:30.

The PRESIDING OFFICER. Does the Senator from Virginia withdraw his unanimous consent request?

Mr. WARNER. No. Leave the unanimous consent request there. I understand there is objection.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. KENNEDY. I object.

The PRESIDING OFFICER. The Senator from Massachusetts objects.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:30 p.m.

Thereupon, the Senate, at 1:03 p.m., recessed until 2:32 p.m., and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. FRIST. Mr. President, I ask unanimous consent that the scheduled recess today be extended until 3:30 p.m.; further that the cloture vote on the nomination of Richard Stickler be vitiated and that at 3:30 p.m. the Senate proceed to the immediate consideration of the conference report to accompany H.R. 4939, the emergency supplemental appropriations bill.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Mr. President, reserving the right to object, I thought we talked with the leader about a process and a procedure, of which the leader was agreeable, that we would have a chance—if there is going to be a recess appointment—that we would have an opportunity to go ahead and have a cloture vote prior to that time.

Mr. FRIST. Mr. President, the discussion among the Democratic leadership and Republican leadership was, indeed, that we vitiate the vote today and that at a time that is mutually agreed upon this vote will come back to this body.

Mr. KENNEDY. To this body prior to the recess appointment?

Mr. FRIST. Prior. That is the understanding. And the discussion was—I have had absolutely no conversations with the administration about a recess appointment——

Mr. KENNEDY. Right.

Mr. FRIST. But if there were to be such a recess appointment, that then this vote could come back, would come back at that time.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. I thank the leader. We are going to have a very important Thursday signing of the Mine Safety Act. It is a reflection of the good work of our chairman, Senator ENZI, and many others on our Human Resources Committee. It is very good legislation, passed by the House of Representatives, and to be signed by the President. It is going to be enormously important. We look forward to that and hopefully to its effective enforcement.

I thank the leader.

The PRESIDING OFFICER. If there is no objection, without objection, it is so ordered.

Mr. ENZI. Mr. President, I rise today to voice my support for the nomination of Richard M. Stickler to be the Assistant Secretary of Labor for Mine Safety and Health. Mr. Stickler's nomination was referred to the Committee on Health, Education, Labor, and Pensions. On March 8 of this year, the committee reported the nomination favorably out of the committee.

The Senate acted just 2 weeks ago on mine safety legislation which the House passed on Wednesday. It is anticipated that the President will sign this into law expeditiously. It is extremely important for the Mine Safety and Health Administration to have permanent leadership to implement this important mine safety law; therefore, I urge my colleagues to vote in favor of Mr. Stickler's nomination today.

Despite decades of improving safety in our Nation's mines, this year we witnessed a series of tragic accidents in the coal mines of West Virginia and Kentucky. Those tragedies, in part, led to a thorough review of our mine safety laws. The Senate Health, Education, Labor, and Pensions Committee, which I am privileged to chair, and the Subcommittee on Employment and Workplace Safety, chaired by Senator JOHNNY ISAKSON, conducted extensive hearings and roundtables on the issues related to mine safety. We conducted an exhaustive review of the current Mine Safety and Health Act and met, at length, with representatives from the mining industry, labor, the professional safety community and State and Federal regulators, all in an effort to determine how we could act in a responsible and constructive way to improve workplace safety for our Nation's miners. The result of these collective efforts was the Mine Improvement and New Emergency Response Act. The MINER Act is the first comprehensive

reform of U.S. mine safety laws in a generation. Following its introduction, the MINER Act was unanimously reported out of the HELP Committee and, almost immediately thereafter, was passed in this body by unanimous consent on May 24. The House passed this bill on Wednesday night. It is expected that the President will sign the bill into law very soon.

What has marked the MINER Act from the outset has been its bipartisan nature. The bill was drafted and moved through Congress as the direct result of continual efforts, on both sides, to reach across the aisle and reconcile differences. The passage of the MINER Act has shown that ensuring the safety of miners is not a partisan issue.

While amending the Mine Safety Act is an important step in meeting our responsibility to ensure miner safety, it is not the only step. We must not only give the Mine Safety and Health Administration the statutory tools it needs to get the job done; we must give it the permanent leadership it needs as well. This, too, should be an action in which partisanship should play no part. The Mine Safety and Health Administration has been without a permanent, Senate-confirmed, Assistant Secretary for Mine Safety and Health since November of 2004. This is too long under any circumstance but particularly in the wake of the recent coal mining tragedies, and on the eve of implementing the many changes that will result from enactment of the MINER Act.

We have the opportunity today to address this issue and to provide MSHA with the permanent leadership it needs by voting to confirm Richard M. Stickler, the President's nominee to head MSHA. Mr. Stickler is an experienced nominee whose leadership is needed during this critically important period. He is one of a very few individuals who has experience in mining at all levels from a miner to management to State regulator.

Born and raised in West Virginia the son and grandson of underground coal miners, Mr. Stickler has spent his entire 37-seven year career in the mining industry. He began his career as an underground miner and worked his way up to foreman, assistant superintendent, superintendent and manager. The bulk of this experience was not behind a desk but was underground, actually working in a mining environment. Because of this practical, day-to-day experience, he will be better able to understand and respond to the needs of today's underground coal miners and to provide seasoned leadership at MSHA.

While working as a miner, Mr. Stickler also attended Fairmont State College and earned a degree in engineering. In addition to his engineering background, he is certified as a mine safety professional by the International Society of Mine Safety Professionals.

Mr. Stickler also served as captain of a mine rescue team. As we have all seen over the course of the last several months, mine rescue teams are a critically important component of mine safety. The heroic miners who volunteer for this service endanger their own lives and donate significant amounts of time to ensure they are prepared to help their fellow miners. The MINER Act, which passed the Senate unanimously 2 weeks ago, mandates some changes to the mine rescue team system. Namely, we require mine rescue team members to have a higher level of training and experience and to be available more quickly when needed. I believe there could be no one better to implement these changes than a former mine rescue team captain.

In 1997, Richard Stickler left employment in the private sector to become director of the Pennsylvania Bureau of Deep Mine Safety, where he served for 6 years. He held that position at the time of the Quecreek mine accident in the summer of 2002. The accident drew national attention as nine miners were trapped underground for several days before being successfully rescued.

The Mine Safety and Health Administration is facing its most significant challenge in decades. It needs an experienced leader at its helm to implement the MINER Act and to continue the vital task of ensuring the safety and well-being of our Nation's miners. I urge my colleagues to support the nomination of Richard Stickler and vote in favor of his nomination.

I ask unanimous consent to have printed in the RECORD additional materials regarding the nomination.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ARGUMENTS AND THE FACTS ABOUT RICHARD STICKLER

Argument: Stickler Opposed the MINER Act.

Fact: Mr. Stickler has NEVER stated that he opposes the MINER Act. In fact he SUPPORTS the MINER Act and has stated that he would expeditiously implement its provisions.

Fact: When he testified before the HELP Committee the bill had not even been introduced yet. No Senator who made this allegation this morning has ever asked Mr. Stickler if he opposed the MINER Act. If they had bothered to do so, as I have, they would have learned that he supports the bill, as does President Bush who nominated him.

Argument: Stickler does not believe any changes to the Mine Safety and Health Act are necessary.

Fact: In the committee testimony he is on record as supporting an additional penalty provision for Flagrant Violators of mine regulations with a new, higher monetary penalty of up to $220,000. This is included in the MINER Act.

Fact: The record shows that he also stated support for storing additional supplies of breathable air in mine exit ways to assist miners in escaping in the event of a fire or explosion. This change would also be required by the MINER Act. It is a safety precaution that Mr. Stickler instituted in the mines he managed many years ago, even though it was not required by any law or regulation.

Fact: His record testimony also reveals unqualified support for the use of any and all technology that would make miners safer.

Fact: Mr. Stickler supports the changes made by the MINER Act.

Argument: Stickler was a mining company executive.

Fact: Richard Stickler grew up in West Virginia as the son and grandson of underground coal miners. He is only the third presidential nominee to head MSHA to have worked as a rank and file miner.

Fact: Richard Stickler worked his way through college to become an engineer. He continued working his way up the ladder to mine manager. He never worked at corporate headquarters.

Fact: Richard Stickler left employment in the private sector to become Director of the Pennsylvania Bureau of Deep Mine Safety, where he served for six years. He has been retired since 2003 and has no current ties to industry.

Argument: Mines managed by Stickler had injury rates double the national average.

Fact: Richard Stickler was a hands-on manager committed to safety. All of the mines he managed for Beth Energy Corporation had lower injury rates when he left than when he began managing the mine.

Fact: Data from both MSHA and the Pennsylvania Bureau of Deep Mine Safety (PA BDMS) show that injury rates declined steadily during Richard Stickler's tenure as Director of the PA BDMS from 1997–2003. During the last 3 years of his service (2001–2003), the injury rate for underground coal mines was below the national average.

Argument: A grand jury determined that the PA BDMS should have noticed problems with mine maps earlier.

Fact: The grand jury found no evidence of reckless conduct and made no finding with regard to negligence by the PA BDMS. The faulty mine map that was found to have caused the accident at Quecreek carried the certification of a qualified engineer as required. Likewise, the report of the Office of Inspector General made no negative findings with respect to PA BDMS or Richard Stickler.

Fact: Investigations into tragic mine accidents like Quecreek always provide an opportunity for viewing an accident with 20/20 hindsight. Improvements in mine map records were a direct result of the Quecreek experience.

Argument: Stickler believes existing mine laws are sufficient.

Fact: Richard Stickler testified that the Mine Act provided sufficient tools for enforcement, but that tough enforcement measures allowed under the Act should be used more often against mine operators who only comply with standards when MSHA inspectors are on site or against operators who appear to view MSHA penalties as just a cost of doing business.

Fact: Richard Stickler also testified that he supported increased minimum and maximum penalties, unwarrantable failure orders, and would not hesitate to invoke ''pattern'' provision for recalcitrant operators having repeat serious violations.

Argument: Stickler does not have the expertise or vision to head MSHA.

Fact: The President nominated a highly qualified candidate for this important position. Richard Stickler has nearly 40 years experience in mining. He worked underground. He was an eye witness to the awful tragedy of the Farmington Mine accident that gave rise to the 1969 mine safety laws. He served as captain of a mine rescue team. He was a mine superintendent and manager. He is a trained engineer. He served as the chief enforcement officer for the Commonwealth of Pennsylvania.

Fact: Richard Stickler has a clear agenda for moving MSHA forward.

(1) Learn the lessons from Sago, Aracoma, and Darby. Follow through on the investigations and internal reviews.

(2) Review the regulatory agenda. Determine whether items previously dropped should be reinstated or if new items should be added.

(3) Use all the tools in the Mine Safety and Health Act, including warrantable failure orders and pattern of violations orders where appropriate.

(4) Examine the penalty structure. Penalties must be effective incentives for compliance.

(5) Analyze accident and violations data. Focus technology development, training, and enforcement on areas of most frequent accidents.

(6) Establish goals and performance measures.

STATEMENT OF RICHARD STICKLER, NOMINEE FOR ASSISTANT SECRETARY OF LABOR FOR MINE SAFETY AND HEALTH

I fully support the recently passed MINER Act and will do my best to expeditiously implement it if I am confirmed to be MSHA Administrator. I have never stated that I did not support this legislation.

I would like to clarify what I stated during my confirmation hearing. I testified that I support tough enforcement and that I would make use of the enforcement tools that already exist in the statute. I testified that I believe penalties must be meaningful deterrents to violating MSHA safety standards, and appreciate that the MINER Act raises both minimum and maximum penalties.

Mr. KENNEDY. Mr. President, I rise to oppose the nomination of Richard Stickler to be the head of the Mine Safety and Health Administration. I urge my colleagues to join me in voting no on cloture on this nomination.

There is a safety crisis in our Nation's mines. In less than 6 months, 33 workers have been killed in our coal mines—11 more than lost their lives in all of last year. Since Richard Stickler was nominated to lead MSHA last September, 53 miners have been killed in mining accidents.

As a recent front page article in the Wall Street Journal said, there has been ''an alarming upswing in coal-mining accidents, at a time when the coal industry is in the midst of a boom.'' Coal profits are skyrocketing, but miners are paying the price with their lives.

This was brought home to me all too painfully when I traveled with other members of the HELP Committee to West Virginia this winter. We met with the families of the 12 miners killed at Sago Mine, and we promised to fix this broken system.

As these grieving families can tell you, their government has let coal miners down. And if we confirm Richard Stickler to head the Mine Safety and Health Administration, we will be letting them down again.

Our Nation's miners and their families deserve a strong and visionary leader to lead the Mine Safety and Health Administration during this time of turmoil in the mine industry. As his record clearly demonstrates, Mr. Stickler is not the man for this critical job. He has shown over and over again that safety is his last priority.

He spent the overwhelming part of his career as a coal industry executive, focused on profits and production, not on worker safety. In some mines that he managed, injury rates actually went up—sometimes far above the national average.

For example, when he was Senior Manager at the Eagle's Nest Mine in Van, WV, the injury rate was almost three times the national average. While he ran the Marianna Mine from 1983 to 1987, the injury rate climbed dramatically during his tenure.

In the 8 years leading up to his appointment to lead the Pennsylvania Bureau of Deep Mine Safety, mines he managed had a total of nearly 3,000 safety violations. One hundred of the violations were so serious, they resulted in MSHA closing part of the mine.

During Mr. Stickler's tenure as the head of the Pennsylvania Bureau of Deep Mine Safety, he continued to favor mining companies over miner safety. He granted waivers and bent the rules for coal mining companies over and over again. He created huge loopholes in rules designed to prevent mine fires on conveyor belts and to guarantee that miners could reach safe places to protect themselves from runaway railcars.

Things got so bad in Pennsylvania during his tenure that one mine inspector called Stickler's special favors for the coal industry, ''a detriment to safety . . . that would, without a doubt, make the coal industry less safe for two-thirds of its workers.''

He was also in charge when the terrible accident at Quecreek occurred, trapping nine men underground in a flooded mine shaft for more than 3 days. We all sent our prayers and support to the miners' families as we watched the rescue operation hour by hour on television. America was horrified that this could happen. A grand jury inquiring into that accident confirmed our suspicions when it found that the system of regulating underground coal mines in Pennsylvania, which included Mr. Stickler's job of protecting miner safety, was ''inadequate, antiquated, and in need of significant changes.''

That accident was a clarion call for the need to dramatically improve mine safety. The lessons of Quecreek mean that Mr. Stickler, more than anyone, should have known of the need to overhaul our mine safety, and particularly emergency rescue laws.

In addition to the Quecreek experience, when Mr. Stickler testified before our committee earlier this year, the coal mine tragedies in West Virginia had just gripped the Nation. Sixteen men had already died in our Nation's coal mines in just 4 weeks. They had lost their lives doing their jobs. Their families were left only with their memories. We owed it to those families to stand with them and demand immediate action to prevent more deaths.

Yet when we asked Mr. Stickler whether mine safety laws needed reform, he told us that he ''thinks the laws are generally adequate.''

Time and again, his response to the most pressing questions on mine safety was that he needed to think about it. We asked him about how to speed the adoption and encourage the development of new mine safety technology. We asked him whether he thought mine rescue teams should be readily available, as required by current law. We asked him whether rescue chambers should be required in every coal mine. We asked him whether he would ban the use of conveyor belts to ventilate mines. We asked him whether he would implement MSHA's rule decreasing diesel fumes in mines.

Did he agree with our call to action? Did he promise to take concrete steps to save the lives of coal miners in danger? Not at all. Over and over again in the hearing, in the midst of the tragedy, he responded only that he needed to ''study,'' ''analyze,'' ''review,'' or ''reevaluate'' the situation.

This heartless performance showed how out of step he is with this Congress and with mining families in America. Congress has enacted sweeping mine safety legislation that is now on its way to the President's desk. Four States—including West Virginia, Illinois, Pennsylvania, and Kentucky—have also passed or are considering strong new mine safety laws. Yet the person the President wants to lead our mine safety agency is content with the status quo. It is no wonder that Mr. Stickler's nomination is opposed by the United Mineworkers of America, the Steelworkers and Petrochemical Atomic Workers, the Boilermakers, the International Brotherhood of Electrical Workers, and the AFL–CIO.

The Charleston West Virginia Gazette also opposes this nomination, and urges President Bush to ''find a qualified MSHA nominee to send before the U.S. Senate.''

Most importantly, Mr. Stickler's nomination is opposed by the people who have the most to lose with a weak mine safety leader—the families of coal miners themselves. I have received letters from women in West Virginia, Kentucky, and Alabama, who lost their husbands and fathers in mining accidents this year—pleading with this Congress to oppose this nomination.

I think Peggy Ware from West Virginia summarizes their thoughts best: ''I know it is too late for my father and the other miners that have lost their lives this year but we can make it safe for all our current miners. Our miners deserve better leadership than someone who will not be aggressive and someone that doesn't appear to recognize there is a problem with our mining industry. This has been one of the deadliest years in mining history. So once again I ask you to please oppose Mr. Stickler's nomination.'' I will ask that these letters be printed in the RECORD.

Our Nation's miners and their families have had enough of the status quo. They deserve someone who is going to fundamentally change course in miner safety, not cover for the industry. They

deserve someone who will make the United States once again a leader in mine safety, instead of a place where miners have to rely on safety equipment that is 30 years old. They deserve more than more of the same cuts to mine safety enforcement, and withdrawal of safety regulations, instead of pioneering new safety standards. Congress decided it is time for a change by passing the MINER Act, the most significant improvement to mine safety law in a generation, and President Bush is expected to sign it into law this week. We saw unprecedented cooperation between industry and labor, Republicans and Democrats on this legislation because the mandate for action was clear. We had to act to stop the tragic trend that started with the New Year and the disaster at Sago.

The act imposes broad new requirements to protect miners in the event of an emergency, and ensures that communications, oxygen, and rescue teams are in place to help miners survive.

This new law will usher in a new era in mine emergency response. MSHA will be responsible for reviewing mines' emergency response plans. It will issue regulations to raise the standard for seals on abandoned sections of mines to prevent the next Sago or Darby disaster, and it must make critical decisions about the use of conveyor belts to ventilate mines and refuge chambers.

These choices will determine the state of mine safety for another generation. They will determine whether coal miners will live or die the next time there is an accident. How can we entrust these critical reforms in the MINER Act to an agency head like Richard Stickler who thinks they are unnecessary?

We owe it to the miners who have died this year and to those who go into those same mines every day to demand a leader for MSHA who find solutions, not someone who can't even recognize the problem.

For the sake of the miners and their families, I am voting no on cloture on this nomination, and I urge my colleagues to do the same.

I ask unanimous consent that the aforementioned letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 11, 2006.

DEAR SENATOR KENNEDY AND SENATOR ROCKEFELLER: First, we would like to express our gratitude to you for your steadfast commitment to the Mine Act. We hope that passing the Mine Act will aid in preventing future deaths of miners and save other families from the grief that we have endured because of the Sago Disaster. We would like to see additional requirements set forth to protect the health and safety of our nation's miners and we will continue to serve as advocates for miners.

We are profoundly disheartened by President Bush's nomination of Richard Stickler for Assistant Secretary of Labor for Mine Health and Safety. Mr. Stickler is a longtime coal executive and because of his connections with the coal industry, we are concerned that his primary objectives may be solely on compliance and production, not on miners' health and safety. Richard Stickler worked 30 years in numerous management positions for the coal industry. He was a mining company executive at a subsidiary of Massey Energy in West Virginia, one of the nation's biggest coal companies. This is not the type of person we want to head MSHA.

The Clinton administration was working on a rulemaking proposal to require additional oxygen, a rule that could have saved the lives of our Sago Miners and many other miners who have perished due to an insufficient supply of oxygen in America's underground coal mines. This proposal was dropped after President George W. Bush took office. MSHA has also admitted to knowing since at least 1998, that the previously required one-hour air supply was inadequate to allow escape by miners in more than a third of the nation's underground coal mines.

At his nomination hearing, Mr. Stickler declined to endorse new mine safety rules, such as those passed in January 2006 by the West Virginia legislature. He failed to recognize the inadequacies within MSHA and the coal industry. This lack of awareness and concern on behalf of Richard Stickler is appalling, especially following one of the deadliest seasons of coal mining in recent history. He offered no insights about what he would do if he were to become head of MSHA. It is our opinion that Mr. Stickler displays no signs of leadership or competence in the ability to head MSHA.

President Bush's nomination of Richard Stickler is characteristic of his pattern in appointing coal industry insiders to serve as senior executives to MSHA. Under this administration, regulations have been mitigated in favor of industry, fines have been reduced for mine safety violations, and MSHA's requirements have not been updated to keep pace with the advancement of mine safety technologies. We conclude that the nomination of Richard Stickler would best be described by a quote taken from UMWA President, Cecil Roberts, ''just another fox guarding the henhouse''.

MSHA is an agency that was developed to protect miners' health and safety and not to promote the interests of coal companies. Our nation's miners deserve an agency staffed with executives who would aggressively advocate miners' health and safety. We oppose the nomination of Richard Stickler as Assistant Secretary of Labor for Mine Health and Safety. We assert that Mr. Stickler is not the right person for the job and urge you to oppose his nomination. Please do not allow the government to fail our nation's coal miners as it failed our fallen miners at Sago.

Thank you,

DEBBIE HAMNER,
SARA BAILEY.

JUNE 11, 2006.

DEAR SENATOR BYRD AND SENATOR ROCKEFELLER: I first would like to thank you for all the leadership and efforts you have put forth helping to get the Miner Act together and passed. I admire you for being so concerned about our miners' safety. These changes needed made due to the recent tragic deaths of all our miners. I am the daughter of Fred G. Ware, Jr. He was one of the miners killed at the Sago Accident. I have been following closely to make sure changes are being made.

However, I am writing this letter to express my concern of President Bush's nominee for Assistant Secretary of MSHA: Richard Stickler. I know that he has background in mine management. My concern is that he will yet be another one worried about ''compliance'' but not aggressive enough to enforce the Mine Act. During his nomination hearing, Mr. Stickler didn't even seem to recognize that there are any problems at MSHA or within the industry.

Mr. Stickler seems to have a lack of awareness of the current conditions of the coal industry. This lack of awareness bothers me due to the fact we have had so many deadly mining accidents since January 2, 2006. My father was taken away from me in one of these deadly accidents. Mr. Stickler offered no insights about what he would do if he were to become the head of MSHA. This is not the kind of leader we need for MSHA. We need a leader that will assure the health and safety of our miners by being aggressive and enforcing the Mine Act.

Thirty years ago when the Mine Act was passed, Congress said that miners' health and safety are supposed to be the top priorities, and MSHA being responsible with pursuing that mission. Mr. Stickler said nothing at his confirmation hearing that suggests he would serve as an aggressive advocate for miners' health and safety. Our miners deserve nothing less. I believe that Mr. Stickler is not the right person for the job and thus urge you to oppose his nomination.

I urge you to do this for all the miners' health and safety. I know it is too late for my father and the other miners that have lost their lives this year but we can make it safe for all our current miners. Our miners deserve better leadership than someone who will not be aggressive and someone that doesn't appear to recognize there is a problem with our mining industry. This has been one of the deadliest years in mining history. So, once again, I ask you to please oppose Mr. Stickler's nomination.

May God bless you all and your families. God bless our miners!!!!!!

Sincerely,

PEGGY WARE COHEN.

JUNE 10, 2006.

DEAR SENATORS: As you probably remember, our husbands were two of the 13 coal miners who were killed in the Jim Walters Mine No. 5 on September 23, 2001. Since then we have spoken out in favor of improving the health and safety of coal miners. To that end, we thank you for your vote in favor of the MINER Act. We hope it will prevent more needless deaths in the coal mine industry and will save other coal mining families from the grief we have suffered. Of course, there is still a lot to do to further miners' safety and health; we continue to serve as advocates for coal miners.

Today we write to you to voice our serious reservations about President Bush's nominee for Assistant Secretary of MSHA, Richard Stickler. Mr. Stickler has a background in mine management. From all that he has indicated so far in connection with the confirmation process, he will be much more inclined to continue Mr. Lauriski's focus on ''compliance'' at the expense of Mine Act enforcement. In fact, when he had his hearing, which followed the terrible tragedies in West Virginia in January 2006, Mr. Stickler didn't even recognize that there's any problem at MSHA or within the industry. He had no absolutely no new ideas about what should be done to make MSHA any better. In short, he showed no leadership at all.

When Congress passed the Mine Act, it stated unequivocally that miners' health and safety are supposed to be the top priorities. MSHA's job should be to protect miners. Unfortunately, Mr. Stickler has said nothing to suggest he would serve as an aggressive advocate for miners' health and safety. However, miners deserve nothing less. We believe that Mr. Stickler is not the right person for

the job and thus urge you to oppose his nomination.

Thank you,

FREDA SORAH,
Debord, KY.
WANDA BLEVINS,
Tuscaloosa, AL.

JUNE 10, 2006.

DEAR SENATOR KENNEDY AND SENATOR ROCKEFELLER: First, thank you for your leadership and persistence in bringing the MINER Act to reality. We hope it will prevent more needless deaths in the coal mine industry and will save other coal mining families from the grief we have suffered. Of course, there is still a lot to do to further miners' safety and health. We will continue to serve as advocates for miners, as we have already traveled to speak on the subject.

Our most immediate concern today is President Bush's nominee for Assistant Secretary of MSHA: Richard Stickler. Mr. Stickler comes out of a background in mine management. At first I thought this would be a good idea, but I fear he will be yet another ''fox'' charged with minding the henhouse. He will be more likely to pursue ''compliance'' rather than aggressive enforcement of the Mine Act, though enforcement is what's needed now more than ever. We need someone to stand up for the mining community, not go along with what ever seems to please the companies.

At his nomination hearing, Mr. Stickler failed to even recognize that there's any problem at MSHA or within the industry. How will he be able to fix and improve something he thinks has no problems. This lack of awareness was startling because his hearing was held on the heels of the deadliest season of coal mining in recent history. He offered no insights about what he would do if he were to become the head of MSHA, and he showed no signs of leadership.

When it passed the Mine Act nearly 30 years ago, Congress said that miners' health and safety are supposed to be the top priorities, and MSHA is charged with pursuing that mission. Mr. Stickler said nothing at his confirmation hearing that suggests he would serve as an aggressive advocate for miners' health and safety. However, miners deserve nothing less. We believe that Mr. Stickler is not the right person for the job and thus urge you to oppose his nomination. Please help us get someone to stand up for us and many other miners and there families.

Thank you very much for your time and I hope you consider my suggestion.

Sincerely,

AMBER DAWN HELMS.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 3:30 p.m.

Thereupon, the Senate, at 2:34 p.m., recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. COLEMAN).

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

The PRESIDING OFFICER. The clerk will report the conference report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings of the RECORD of June 8, 2006.)

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LAUTENBERG are printed in today's RECORD under ''Morning Business.'')

Mr. LAUTENBERG. 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. NELSON of Florida. 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. NELSON of Florida. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida is recognized.

(The remarks of Mr. NELSON of Florida are printed in the RECORD under ''Morning Business.'')

Mr. COCHRAN. Mr. President, after a great deal of hard work by both bodies, I am pleased that the Senate now has under its consideration the conference report to accompany H.R. 4939, the fiscal year 2006 emergency supplemental appropriations bill.

Overall, this bill which was requested by the President has two major points of focus. First, it provides needed funding to replenish the spending accounts of the Department of Defense, the Department of State, and other agencies and departments of the Government engaged in the global war on terror through the remainder of this fiscal year. Second, this supplemental includes critical funding for continued efforts to address the damage caused by the hurricanes in the Gulf of Mexico in 2005.

The bill was adopted by the Senate on May 4, and we began discussions with our colleagues from the other body shortly thereafter. A bipartisan majority of the conferees reconciled the differences between the two bills and reached agreement on the conference report on June 8. The House approved the conference report this morning by a rollcall vote of 351 to 67.

The conference agreement provides a total of $94.519 billion. Of this amount, over $70 billion is provided to carry out the global war on terror and to cover the expenses of ongoing operations and reconstruction efforts in Iraq and Afghanistan.

Title II of the conference agreement provides $19.338 billion for hurricane-related damage and recovery costs. Title III provides $500 million for agriculture disaster assistance to hurricane affected areas. Title IV includes $2.3 billion for influenza pandemic preparation and response activities. Title V provides $1.9 billion for various border security initiatives. Title VI includes $27.6 million for the Architect of the Capitol to address health and safety concerns in the utility tunnels in the Capitol complex. Finally, title VII includes general provisions and technical corrections.

This conference agreement is the result of hard work and true compromise between the House and Senate. This bill provides critically needed funding to our troops in the field and it helps continue the recovery process on the gulf coast. The overall funding level meets the amount requested by the administration, and I hope this agreement will receive bipartisan support in the Senate.

All members have had the opportunity to review the conference agreement, and I am happy to respond to any questions Senators may have about its contents. I do hope we will not indulge in needless delay and proceed with some dispatch in the consideration and approval of this agreement.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent to speak for up to 10 minutes in morning business with respect to a tribute to Senator BYRD and then make another statement with respect to the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. REED are printed in today's RECORD under ''Morning Business.'')

Mr. REED. Mr. President, as indicated previously, I would like to make a short statement pertaining to the supplemental appropriations conference report before us.

It is interesting, my colleague from Florida spoke about the lessons of Hurricane Katrina. One of those lessons is we have to be prepared. In Rhode Island, we worked with Chairman COCHRAN, Ranking Member BYRD, and also with Senator HARRY REID to incorporate within the supplemental appropriations bill an appropriation to help prepare our hurricane barrier in Providence, RI. I thank the chairman, Senator BYRD, and Senator REID for this effort.

Unfortunately, this provision did not survive the conference committee, and we are not able today to tell the people of Rhode Island that we are giving

them much needed help to strengthen the Fox Point hurricane barrier.

The Fox Point hurricane barrier literally is the protection that will preserve Providence, RI, and the surrounding areas from a devastating hurricane. It protects the city. It protects all the key resources there, such as the infrastructure. It is right at the head of Narragansett Bay. That is where Providence sits, and in a hurricane, if it roars up that bay, there is not much to stop it except this barrier.

It was built in the 1960s. It was at that time a modern, state-of-the-art construction, but the years have intervened. It is no longer a state-of-the-art construction. It needs work. It needs the electro-mechanical system control system replaced. It is one of the few major facilities in the country that I think is still operated by its original electrical components. The barrier employs three 35-foot-high gates that are electronically operated. This is not only to keep the water out, but to make sure they can still continue to pump water from the rivers that back up the hurricane barrier.

Now, most people don't think Rhode Island is the prime target of hurricanes, but in 1938 and in 1954 we were dealt devastating blows. In fact, the damage from the hurricane in 1938 in those dollars was $125 million. Today it would be $1 billion. Hurricane Carol in 1954 flooded Providence, leaving the city under 8 feet of water and destroying 4,000 houses.

So we have a need to help the city upgrade these facilities to provide the kind of improved equipment and improved performance that will assure us that if a hurricane comes—and we all know that eventually they will come to Rhode Island and to the rest of the eastern seaboard—we will be prepared.

Again, I thank the chairman and others for their work to put the money in, and I am disappointed that the money was taken out. I hope that in the future we can find another way in which we can protect the people of Providence, RI, and the whole State of Rhode Island.

Mr. President, with that, I once again congratulate Senator BYRD, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I want to congratulate Senator BYRD as well. What a wonderful gentleman. What a gentle spirit, but what a firm voice. We value your service and we appreciate what you can teach us and what you have taught us.

I also want to thank Chairman COCHRAN for the hard work that he has done on this supplemental bill. He also has put up with a lot of grief from myself and others. The bill is important. I am going to spend a few minutes on things I think the American people ought to be asking about this bill.

The fact that we have the largest supplemental appropriations bill ever to come before this body to me is a great problem. It tells me part of the system is broken. The fact that the administration would request such a large emergency appropriation, and the fact that we would pursue it and pass it tells us that the system of the true appropriations and authorizing process is broken.

We are in the fourth year—the third-and-a-half year—of a war, and a large portion of what is in this bill has been known in advance that we were going to need it and it should go through the regular order. The fact that we take it outside of the budget caps, the fact that we take it outside of the regular order when we know we are going to spend $60 billion to $70 billion at least in executing and prosecuting the war and put it in an emergency supplemental I think says a lot about our process that we need to take very seriously and try to change.

That is a criticism for the administration as well. A lot of the money in this is for the National Guard to refurbish and bring things up that we knew and in regular order we are going to be processing in the Defense appropriations bill that is going to be coming before this body in the next couple of months. So the excuse to say this is all emergency falls short, because it is not. It is not all emergency. We have known all of this money is going to be spent, it should have come through the regular process, and we really don't have a good excuse to tell the American people why we are not doing that.

The second criticism I have of this bill is that the administration requested no rescissions whatsoever. There is nothing in the Federal Government that we could trim to help pay for this emergency bill. That is the assumption of the request by the administration. I want to tell you that is the wrong assumption. Employees who work for the Federal Government, the valuable employees, they know that is not true. People outside of Washington know that is not true. Constituents all across this land know that if we had to find money and if we could drive things to make them more efficient, we could do it. The fact that we are not doing it is another problem with our process. That is not a criticism of individual Members of this body; it is a criticism of the process that we find ourselves in and that we are blinded in the forest by the trees.

We ought to be back to regular order, and if we truly have emergencies, we ought to look to say, How can we trim from somewhere else to pay for it? Because, in effect, this $94.5 billion, my grandchildren, your grandchildren, and the generation that follows are going to pay for. Nobody that is working today is going to pay for this. We are transmitting the cost to our children and grandchildren. We are saying that we can't make an effort, or the administration doesn't request us to make an effort, or we don't make an effort to find other areas that are less important, lower on the obligation level for us, that we will just print the money and sign the notes and sell them overseas and say, Children and grandchildren, you pay for this because we don't have the courage to do the hard work to pay for it. We ought to take that criticism and say, Is that really what we want to be known for? Do we want to be known for not making the hard choices that are necessary to fund this war and at the same time not take away opportunity from our children and grandchildren? That is not a personal criticism, but that is a legitimate criticism that the American people ought to be asking.

The third thing is there are things in this bill that are pure politics in nature. Let me just describe one. I withdrew this amendment on the floor, but I think the American people ought to understand what is going on. There is over $200 million in this bill for Osprey aircraft, the V–22 that has never proven itself in combat. It has never made the test in battle simulation that says it is a viable option. Neither the administration nor the Defense Department requested this money, and this money is going to be spent, it is in the bill, and this bill is going to pass and the President is going to sign this bill. But we are going to spend money, a quarter of a billion dollars, on this program, not because it was requested by the Pentagon, not because it was requested by the administration, but because it was requested by a business to continue a program that hasn't proven itself yet.

There has to be some risk to those who don't perform when they are supplying our military with the latest in terms of equipment and materials, and there is not any, if we continue to do it this way. I am not an expert in the Defense appropriations process, but I have read what the Defense Subcommittee has said on this, and I have read what the articles have said on this, and it doesn't meet the test. Yet, we are going to spend it.

The reason we are going to spend it is because there are enough Members in this body that have employment with this company throughout the country that the pressure to not fund it is greater than the pressure to do what is right. I believe we ought to ask ourselves about the criticism of that. That is not a way to run the future of this country, and it is certainly not a way to protect the heritage for our children in giving them the opportunity that we have all experienced in being in the freest and greatest country in the world.

The risk for our country is a risk that we will lose that heritage of sacrifice today to create opportunity tomorrow. I know I am like a broken record to the appropriators, but my heart says that we should create at least the same opportunities in the future that we have all experienced, and to do less than that denies the very heritage that was given to us.

So I haven't decided for sure whether I am going to vote for this bill. I know

it is important to take care of the critical needs in the hurricane area. I have had two hearings on that, part of my subcommittee, the waste, fraud, and abuse associated with that. But I must emphasize, out of 37 hearings in the Federal Financial Management Oversight Committee, we found over $200 billion—$200 billion—of waste, fraud, and abuse in the last year and 2 months. Forty billion dollars of it in Medicaid in terms of false and inappropriate payments, $46 billion in Medicare, and $16 billion in Medicaid fraud in New York City alone. Yet we don't respond to it. There is no action on it.

We had the Pentagon in 2005 pay $6 billion—$6 billion—in performance payments to contractors who did not meet the performance requirements of their contract. Yet we paid it anyway. But we haven't had a prohibition on that.

I know on the Defense authorization as we get to that, Senator MCCAIN is going to offer an amendment that I think is appropriate that we require that portion of the funding of the war that is legitimate to go through the appropriations process and regular order will be there. There are certain portions of that which are unexpected and we will continue to have to do supplementals to do that. But I would remind my colleagues that we are not going to be measured on what we do now; we are going to be measured on what is the opportunity for America 10 years from now and 15 years from now.

We were sent here to make the hard choices, and they are not fun. But we are not making the hard choices, because we are not looking at the programs that aren't effective, that aren't accomplishing the goals and eliminating them to pay for the things that we think are; we are just ignoring them and paying as we go, except we are not paying as we go. We are asking our children and grandchildren to pay.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I want to thank the very able Senator who has just spoken for his service to the Nation and to this body. I thank the very able chairman of the Senate Appropriations Committee, Senator THAD COCHRAN, for all of his meticulous—meticulous—work on this bill.

The President asked the Congress to approve $92.2 billion of emergency spending and $2.3 billion to combat pandemic flu. When the committee opened its hearings on the supplemental on March 7, I stated my belief that it is our duty—our duty—to scrutinize the President's request, not only for what is in it, but also for what is not in it.

The conference report that is before us includes $65.7 billion for the Department of Defense to fund the wars—and there are two of them going on—two wars: the war in Iraq, to which I was opposed, and I feel I was right, and in Afghanistan, which I supported; I support that war, and I supported that war from the beginning in Afghanistan—an amount said to be sufficient to prosecute those wars and supply our troops.

Upon passage of this legislation, the total amount appropriated for the war in Iraq, including the cost of reconstruction, will be $318 billion—$318 billion. That is $318 for every minute that has passed—every minute—$318 for every minute since Jesus Christ, praise the Lord, was born. That is a lot of money. Mr. President, $318 for every minute that has passed since Jesus Christ was born 2,000 years ago. That is a staggering figure. And what is even more unbelievable is that the monthly cost of this war in Iraq, which I have opposed from the beginning, has been steadily escalating from $5 billion per month in 2004 to more than $8 billion per month now.

The American people—hey, those people who are out there in the prairies, in the Rocky Mountains, in the lands between Washington, DC, and the Rocky Mountains—they are all asking: How on Earth has the monthly cost of the war in Iraq grown so much in just 2 years? The Bush administration announced that major combat operations ended in May of 2001. Remember that? The banner that we saw on the ship? Let me repeat. The Bush administration announced that major combat operations ended in May of 2003. But the costs of the war continue to spiral. How can that be? Why? Why? This administration does not want to answer these questions. Instead, the administration continues to request funds for these wars—two wars, Afghanistan and Iraq. The administration continues to request funds for the wars through ad hoc emergency supplemental appropriations bills.

Regrettably, the Congress continues to duck for cover. Since the President took us to war in Iraq in 2003, the Congress has approved eight different emergency supplemental appropriations measures to fund the wars—eight. None of those measures received the full scrutiny that is required of such massive expenditures. You know it. I know it. We know it. Everybody should know it. The President refuses to include the full costs of these wars in his regular budget request. Instead, he sends the Congress emergency requests with little or no detailed justification.

According to the Congressional Budget Office, this President has requested $515 billion of emergency spending—yes, you heard me, $515 billion of emergency spending that does not appear in the budget. This conference report includes language that I authored, urging the President to put the full costs of the wars in his annual budget. This is the fifth time the Congress has approved such a provision.

My amendment was approved 94 to 0. It is time for the President to get the message. The administration's failure to budget for the wars means that neither the White House nor the Congress is making the tough decisions about how to make the most of public funds to pay for the ongoing wars.

Tales of waste abound. Our troops deserve better treatment, as do you, the American people out there. I am pleased that the conference agreement includes $35.6 million for improved mine safety and health programs. Since January of this year there have been 19 coal mining deaths in the State of West Virginia, and another 14 mining deaths in the States of Kentucky, Alabama, Maryland, and Utah. This conference report will ensure that an adequate number of safety inspectors will be provided for our Nation's mines and will expedite the introduction of critical safety equipment into the mines. These are critical dollars which will begin to fill the gaps, the unacceptable gaps at the Federal Mine Safety Agency. There are too few inspectors, there is too much out-of-date safety technology, there are too many unprepared rescue teams, and the litany of problems at the Federal Mine Safety Agency goes on while the lives of our Nation's coal miners continue to be at risk.

In the past 5 years at the Mine Safety Agency, safety has taken a back seat. At least 217 coal safety inspector jobs have been eliminated—wiped out. The political leadership at MSHA puts protecting miners' lives on the back burner.

We have a moral obligation to make our coal mines safer. This funding will jump-start the job of protecting our coal miners' lives and providing some peace of mind to the coal miners' families.

I know how those families feel. I grew up in a coal miner's home. My wife's father was a coal miner. You are looking at somebody who speaks the coal miner's language. I do. Coal mine safety should not take a back seat to coal production. Protecting the lives of our coal miners has to be job No. 1 in the mines.

I cannot find the words to adequately express my heartfelt appreciation for the support of Chairman THAD COCHRAN of Mississippi and the other Senate conferees, particularly Senator SPECTER and Senator HARKIN, for their cooperation. With this funding and with the recent approval of the mine safety authorization bill, Congress will have given clear, unmistakable direction to the administration. The safety of our coal mines and the brave miners who work in them must be paramount, uppermost. I will say that once more. The safety of our coal mines and the brave miners, men and women, who work in the coal mines must be paramount.

With regard to funding required to recover from the gulf coast hurricanes, the chairman of our Senate Appropriations Committee took the bull by the horns. Under Senator THAD COCHRAN's leadership, the Senate added $9.2 billion to the President's budget request to aid the victims of the hurricanes. In addition, the Senate added funds to meet pressing emergency needs for drought relief, port security, the security of U.S. borders, and much needed

medical care for the Nation's veterans. Sadly, the President, our President, threw down the gauntlet and threatened—yes, threatened—to veto the bill. The White House insisted that $14 billion of what it called low-priority items be dropped from the bill. As a result, the Republican leadership of the House and Senate sat down with White House staff and agreed to drop from the bill emergency disaster drought relief for our farmers, funding for critical veterans' medical services, and funding for increased security at the U.S. ports. Over $9 billion of critical funding for the victims of the hurricanes—over $9 billion—has been eliminated, including housing assistance, education assistance, and transportation funds. Where are our priorities?

Instead, this administration has put its highest priority not on disaster needs but on massive tax cuts to the tune of $254 billion for 2006, tax cuts—yes, hear me, tax cuts at a time when the Nation is at war and spending on that war is on the order of $8 billion per month. That is like spending $8 for every minute since Jesus Christ was born—$8 for every 60 seconds since our Lord Jesus Christ was born.

The administration continues to have a huge credibility gap when it comes to homeland security. There is a continuing drumbeat that another terrorist attack is likely.

Yet once again the administration is trying to secure the homeland on the cheap.

The White House insisted that the conferees strip away $648 million for port security and $600 million for the Coast Guard from the bill. Take it out. The administration's speechwriters and the administration's policywriters seem to be living in different worlds.

How serious is the administration about port security when the administration decides to allow Dubai Ports World to operate six major U.S. ports before the President, the Vice President, the Secretary of Defense, and the Secretary of Homeland Security were made aware of the decision? Who is in charge? Who is in charge? What a fiasco.

How serious are we about port security when Customs inspects only 5 percent of the 11 million containers that come into the country each year? How serious are we about port security when the Coast Guard inspects only one-third of foreign ports that trade with the United States? Yet at the insistence of the White House—hear me now—at the insistence of the White House $648 million for port security is eliminated—gone, gone with the wind.

With regard to border security, the administration continues to be a day late and a dollar short. They opposed my efforts—this little boy from the hills of West Virginia—yes. The administration continues to be a day late and a dollar short. They opposed my efforts last year to add funds for border security. How about that—your security, border security.

Fortunately, Chairman GREGG, the great Senator from New Hampshire—I like him. No, he is not a Democrat. What difference does that make? I like him.

Fortunately, Chairman GREGG and our House counterparts agreed—yes, that old boy from the mountains—agreed with me, and we now have 1,500 more Border Patrol agents. We now have 1,500 more Border Patrol agents and 581 more immigration investigators and agents, and 1,950 more detention beds.

On May 18, 3 weeks after the Senate adopted the comprehensive Gregg-Byrd border security amendment, the White House sent up its own border security package. Rather than following our lead—Senator GREGG and Senator BYRD—the White House insisted on reducing the package for the Department of Homeland Security by $728 million—that isn't chicken feed—and narrowing the focus to just the Southwest border.

While some may view border security through a microscope, Chairman JUDD GREGG and I share the view that when the border is tightened in one place, the threat will move elsewhere. We should anticipate that inevitable dynamic so that our border enforcement agencies will have the tools to effectively do their jobs when they need those tools, not 2 or 3 years from now. Yet the President requested no funds—no funds, none—for the Coast Guard and no funds—none—for the northern border.

Just few days ago, 17 alleged terrorists were apprehended in Toronto, Canada. This ought to have served as a wake-up call to all of us that the threat to this country is not only on our Southwest border but on all of our borders.

Regrettably, the President had his way in conference. While I appreciate that we have another $1.2 billion for border security, I worry that the funds are not based on a sound plan for border security.

In conference, Chairman THAD COCHRAN offered an amendment to establish a limit on discretionary spending for fiscal year 2007. He did so to expedite the consideration of the appropriations measure through the Senate in the absence of a final budget resolution. Chairman THAD COCHRAN and I share the goal of debating in the Senate and sending to the President 12 individual, fiscally responsible appropriations bills.

I support setting clear, enforceable limits on the spending contained in the appropriations bills. The issue is: At what level should we cap spending? Chairman THAD COCHRAN presented to the conference a deeming resolution that would limit spending to $872.8 billion, the level proposed by the President.

Once again, the President's budget represents an irresponsible plan that trades America's long-term future for short-term political gain. If the Congress approves the President's request for Defense and Homeland Security, the President's budget will fall $14 billion short of what is needed for domestic programs, just to keep pace with inflation.

The President proposes the largest cut to education funding in the 26-year history of the Education Department, $2.1 billion or a 4 percent reduction. This is a nonsensical squandering of the future of our children.

How are we going to compete in the global marketplace unless our young people have the tools they need?

Although we have thousands of veterans returning from Iraq and Afghanistan, the President wants to collect $795 million in new or increased fees charged to whom? To our veterans to pay for whose health care? Their health care. He also proposes $800 million of additional fees for the health care of military retirees. What a way to say thank you to our dedicated troops.

The President proposes a level of funding for Amtrak that will force it into bankruptcy. The logic behind that decision totally escapes me. With gas prices soaring, why would we want to eliminate a major provider of public transportation?

At a time when we are facing record energy prices, our President is also proposing a $1.4 billion cut in funds for Low-Income Home Energy Assistance. What a farce.

Despite the fact that the White House continues to raise the specter of another terrorist attack, the President proposes to cut first responder grants by 25 percent. The President proposes to cut fire grants by 55 percent. These are just more examples of budgeting in a closet.

This week the FBI announced that in 2005 this country had the largest increase in violent crime in 15 years. And yet the President proposes to cut grants for State and local law enforcement by over $1.2 billion.

So may I say that while our President talks a good game on investing in alternative energy supplies, his budget includes only half of the funds necessary to implement the Energy Policy Act of 2005.

To complicate matters even more, the President has proposed that the Appropriations Committees approve $7.4 billion of new user fees and changes in mandatory law, most of which are not even under the jurisdiction of the committees. For example, the President wants us to approve a $1.2 billion increase in the ticket tax charged airline passengers. At a time when the airlines are already facing financial difficulties, this is folly, pure folly. If there is one lesson that we should have learned from Hurricane Katrina, it is that there are consequences to starving Federal agencies. FEMA, which performed marvelously after the Northridge earthquake, the Midwest floods, and the 9/11 attacks, FEMA was no longer up to the task when Hurricane Katrina hit.

After 5 years of starving domestic agencies, I wonder which other agencies will be the next FEMA. Will it be the Coast Guard? Will it be the Food and Drug Administration's ability to approve safe drugs or the ability of the Food Safety and Inspection Service to protect food supplies?

I offered an amendment in conference to modify the amendment offered by Chairman COCHRAN to increase discretionary spending for fiscal year 2007. One of the amendments was adopted on a bipartisan vote of 15–13 to increase spending by $7 billion.

Sadly, the White House and the House majority leader objected to the inclusion of the deeming resolution as modified by my bipartisan amendment. The conference report that is before the Senate, therefore, limits total discretionary spending to the President's stingy—too stingy—$872.8 billion request.

At this funding level, the Senate will have little choice but to starve Federal agencies of the resources they need to responsibly meet the needs of the American people. That means relegating people's needs to the bottom of the barrel.

The White House got what it wanted in this conference report. Less money for the victims of the hurricane, less money for drought relief, less money for key border security programs, no money for port security, and a ''cheap Charlie'' limit on other domestic spending.

The President has just made a surprise visit to Baghdad.

Let me say that again. Today, a little while ago, the President made a surprise visit to Baghdad. That is all right. Supporting our troops is very important. However, I have to ask, when will the President be visiting American ports to determine if they are safe?

When will the President visit American farms that have been devastated by drought?

When will the President meet with our Governors, our mayors, our police chiefs to understand why violent crime is on the rise?

When will the President visit our Nation's hospitals to learn why health care in this country is unaffordable?

When will the President visit our Nation's campuses to learn why the cost of a college education has grown 57 percent during his administration, while the level of Pell grants has been frozen for 5 years?

When will he start to look and listen to the voices of American citizens who want a leader for their future here at home?

We now have appropriated $318 billion for the war in Iraq while America's needs go begging. I wonder if the President will ever ask himself about the consequences of that choice.

While I have serious reservations about what has been dropped from the conference report, the conference report that is before the Senate provides essential resources for our troops and help for hurricane relief. Therefore, I will support the adoption of the conference report.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I rise to speak about the Emergency Supplemental Appropriations Act which, as the venerable and esteemed Senator from West Virginia stated, provides critical funding for America's troops, money for hurricane recovery, money for mine safety, while staying within the $94.5 billion funding level called for by the President.

I am going to support this package. I support our troops. I applaud their efforts. I am a strong proponent of fiscal responsibility, and I understand and recognize the tough choices that needed to be made in order to put this supplemental together. But with that said, a large component of this package is disaster assistance. When it comes to helping our fellow Americans through a crisis, we need to assist all with equal zeal.

The fact is, while this bill offers some Americans a helping hand, it gives some others a cold shoulder. While this bill provides needed funding for agricultural disaster assistance in the gulf to producers affected by the hurricanes, it will not send a dime to Minnesota's farmers struggling to survive their own natural disaster.

The Senate bill contained that helping hand. Chairman COCHRAN fought for—and has fought a number of times, by the way. And I thank the chairman for all the work he has done and all the work he has done on the supplemental and I certainly thank him for his sensitivity to the needs of Minnesota producers. I served with him when he was chairman of the Agriculture Committee before he became chairman of the Appropriations Committee. But this relief never made it through the conference. It is not in the final bill.

I find it incomprehensible, if not irresponsible, to provide weather-related disaster assistance for one region of the country while withholding it from another. At its core, this is an issue about equity for all regions that are suffering.

And to the thousands of Minnesotans whose very livelihood has been jeopardized and those losing their farms due to last year's disastrous weather, this bill is nothing short of cruel. The absence of this piece in the bill is nothing short of cruel.

The images from Minnesota in 2005 speak volumes, surreal images of a mounting storm that almost defies description. Once unleashed, these ominous clouds transformed into tornadoes and a devastating downpour. Imagine looking out your living room window and seeing the shadow of this storm, as shown in this picture, cast on a farm you have worked all your life to build—a farm you have seen through good times and bad, from performing chores before school as a kid to managing the cash flow of a modern farming operation as an adult. These clouds must have brought great anxiety in their path.

But these families would not have to wait long to find out what this storm would bring as they sought shelter from the tornadoes and from the high winds as they found cover from the 15 inches of rain that fell in 1 single day.

When the sky cleared, this is the scene, as shown in this picture, victims of the storm found. These are the fields, carefully cultivated every year, that were the lifeblood of family farms. These fields, left in utter destruction, a source of great pride when covered by a healthy crop, became a source of great concern to producers who understood all too well that no amount of hard work and careful planning would undue the damage done to their fields.

For many farmers, their worst fears were confirmed. In the sugar sector alone, revenue was reduced by $60 million in Minnesota in 2005, thanks to this natural disaster. In one county, crop loss exceeded $52 million and farmers were prevented from planting over 90,000 acres, thanks to saturated fields.

Yet the real story cannot be told through statistics. I have met these farmers, and I have listened to their personal trials endured as a result of this catastrophic weather. I was up in Lake Bronson, MN, up in the northwest part of the State, Kittson County. I think the town has about 180 people. I was there on some other matters. In a town of about 180 people, farmers came from surrounding areas. One hundred farmers showed up to talk about what they have been through, to ask for my help in trying to protect this disaster assistance relief.

I looked at the faces of these men and women who are hard working—you could just kind of see that strength in their hands and in their faces—and I turned to one of my staff and said: This is why America won Two World Wars. These are people who have been there for our country time and again. And they were hurting.

Farmers are losing their operations, pure and simple. Some of these producers will not be coming back to the fields next year thanks to this storm. They are not just losing a business, many are also losing a family tradition.

America is losing something here. Thousands of farmers are struggling to figure out how they will make their cash flow work this year. It is easy for us to talk about terrible crop loss numbers in black and white figures on a page, but these numbers do not quite sum up the weight felt by the farmer who is anxiously wringing his ball cap in his hands as he surveys a barren field and wonders how he will convince the bank to give him one more season.

It may shock many Americans to learn these images behind me are not

from the gulf but, instead, that they describe the natural disaster that struck northern Minnesota in the spring of 2005. Even more shocking to Americans might be the fact that, of the millions of dollars in agriculture disaster aid in this emergency supplemental, none will go to these Minnesota farmers.

I traveled to the gulf so see the hurricane damage firsthand in order to fully understand what my fellow Americans who live far from my Minnesota home are suffering, and I have supported their cause in Congress. I do not know that any of my colleagues from the gulf have ventured to my part of the world to witness the dire situation going on in places like Kittson County—and, again, in size and scope what happened in the gulf is almost incomprehensible—but I urge us not to forget what is happening in other parts of the country. For the farmers impacted, this is their life, this is what they got. It is underwater. I invite my fellow Senators who are interested in meeting these farmers to come to Minnesota. And not just to Minnesota; I think this same scene would be replayed in North Dakota and South Dakota and probably replayed in Missouri and other parts of the country.

It is true that the suffering in the gulf is great. I have seen the tremendous damage, and I am committed to helping. But the burden experienced by the farmers I met in places such as Lake Bronson, MN, is also great. Congress should come to the aid of all Americans who find themselves victim of natural disaster and are left in financial peril and economic hardship too great for them to resolve on their own.

This is simply a matter of fairness. The agricultural disaster aid package that was included in the Senate version of this emergency supplemental appropriations bill—of which I coauthored that piece—was fair. It provided assistance to farmers afflicted by natural disasters regardless of region or the type of natural disaster. This is a simple matter of fairness.

What this conference report does is divide the Nation. If not excluded for regional reasons, then I suppose we are left with the conclusion that hurricanes are the only true natural disasters that deserve congressional attention. We all know that is false. And taxpayers know better. They deserve better. The fact this conference report does not provide one dollar for Minnesota's farmers is a true injustice.

I will vote in favor of this emergency supplemental bill because it provides critical funding for our troops. That is what it is about. I am going to be there for that. But I will come to the floor again and again and again to raise the issue of disaster assistance for Minnesota farmers and others in the region. And at every turn I will work to move this funding. I will not let this inequity stand.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor this evening to talk about the supplemental bill before us. And I thank the Senator from Minnesota for his remarks on agricultural disaster spending. I agree with him how critical this is for his State, and for many others, including mine. And I was deeply disappointed that the administration opposed the Senate's agricultural assistance proposal that was in our bill.

Their letter to us said they opposed it on principle because the 2002 farm bill was designed, when combined with crop insurance, to eliminate the need for ad hoc disaster assistance. Unfortunately, that policy has really harmed us in many of our States. I hope to work with the Senator from Minnesota and others to make sure we recognize these disasters that occurred to our agricultural communities. And I, too, am deeply disappointed it is not part of the supplemental.

Mr. President, I do want to speak for a few minutes this afternoon about funding for the war in Iraq and hurricane recovery and other national priorities.

I want to share with my colleagues that I have three real concerns with the bill. First, really, is that it continues the charade we have had that this war be funded off-budget. And, second, this bill leaves out critical funding for areas such as veterans health care, port security, and emergency transportation assistance on the gulf coast.

Much of the progress we made on the Senate floor, through many hours of debate, was thrown out because of an arbitrary limit that was set by the President that is really going to hurt a lot of our communities.

Finally, I want to talk about how this bill improperly included a budget ceiling that is going to affect every single spending bill and many of the decisions we need to make in the coming months. I believe the supplemental is the wrong place to be enacting a budget that was never passed by this entire Senate. I want to talk about each of these concerns.

I will, like all of my colleagues, vote for this bill in the end because it is important that we provide the funding for our troops to carry out their mission as we have asked them to do and because, of course, it supports the recovery efforts along the gulf coast.

My first concern is that the administration keeps trying to fund this war outside of the regular budget process. Instead of including the money our troops need in the annual budget, they keep sending us supplemental emergency requests. This may seem like a very small issue, but it has two real large impacts. First, every dollar we spend through emergency funding adds a dollar to our national debt. With every supplemental, we are burdening our children and grandchildren with more debt. It used to be that emergency spending bills were for emergencies, things we couldn't foresee such as natural disasters. The need for the funding for the war in Iraq is not a surprise. It is not like responding to an earthquake that no one could predict. We should not hand over to the President the final authority on what deserves emergency funding.

I hope my colleagues will join me in expressing concern about this because this administration's approach is going to burden future generations. I don't think we should hide the true cost of the war from the American public, which we do through this supplemental process.

Communities at home today are sacrificing because of the cuts that this administration and Congress have imposed on the annual budget. If the administration had to fund the war in the annual budget, those cuts at home would be a lot more painful. By funding the war off-budget, Republicans are hiding the true cost of the war and the real tradeoffs that we have to make because of it. I hope the administration will be honest with all of us about how much this war is costing and the investments that we are being denied at home because of the way this administration has chosen to fund the war.

I believe the administration should not have the sole authority to decide what is worthy of emergency funding and what is not because we do have emergencies in our backyard as well as overseas.

My second concern with this bill is that it leaves out many of the critical investments we fought to add right here on the Senate floor to the supplemental. Here in the Senate we worked very well on a bipartisan basis to make sure the bill funds priorities such as veterans health care. I commend Senator COCHRAN for his work in trying to get this bill through the Senate and working with all of us to make sure our needs were addressed. But, unfortunately, the President set an arbitrary limit for the size of this bill and said he wouldn't sign a bill that cost a penny more. What happened? The leadership rolled over, agreed to the President's limit, and now that is going to hurt our communities at home.

One of the groups of people it is going to hurt the most is America's veterans. In April, the Senate overwhelmingly passed the Murray-Akaka amendment to ensure that our veterans get the help they need. Our amendment had broad bipartisan support. We worked with Chairman HUTCHISON and others to make this funding emergency spending. But what happened? That amendment was removed from this bill. That is a huge setback for the men and women coming home from the war today and entering a VA system that is now overwhelmed and underfunded. This funding would have allowed us to provide soldiers returning from Iraq and Afghanistan with timely access to the health care they earned.

We know today that the VA is facing funding challenges. In March, the VA

themselves told us that they are seeing 38 percent more Iraqi war veterans than they budgeted for. In fiscal year 2006, the VA expected to provide medical care to 110,000. That number is now rumored to be nearly 170,000. In fact, the VA has treated 74,000 Iraq war veterans in the first quarter of this fiscal year alone. We are hearing that veterans have to wait over a year to get the specialty care they deserve. Some are waiting over 18 months to get their benefits. We have long waiting lists with thousands of names on them at our major VA hospitals. Recently, a VA official actually told us that long waiting lists make care for mental health and substance abuse virtually inaccessible.

I am frustrated that the funding we worked to get on the floor of the Senate for our veterans is no longer in the bill that is in front of us. I believe our veterans deserve better, and I hope that we address this issue again in the near future.

I also want to take some time to mention other investments that were removed from this bill to meet the President's arbitrary limit. I am the ranking member of the Transportation-Treasury subcommittee. I can tell my colleagues that some very important funding initiatives were left on the cutting room floor, initiatives that were sorely needed to help the residents of the gulf and to help that region's economy recover. Let me give an example.

The Senate-passed bill included $200 million in emergency assistance for transit authorities in the gulf region. In prior supplemental appropriations bills, we have included $2.75 billion for the Federal Aid Highway Emergency Relief Program, but there is no such companion program for transit agencies. So right now the principal transit agency in the city of New Orleans is operating on funding through a mission assignment from FEMA. But FEMA has made it clear that this funding support is going to expire at the end of this month. Without any additional Federal help, the very limited amount of bus service that is now being provided is going to be severely curtailed. In fact, I am told that as a result of the $200 million being eliminated during the conference deliberations on this bill, the New Orleans transit authority is likely to be required to lay off between 300 and 450 employees. They are going to have to cut back their extremely limited service even more.

Prior to Katrina, New Orleans had about 62 separate bus routes. By next month, they may have to cut that back to 17. New Orleans is desperate to generate the economic activity that is going to allow this city to again stand on its own two feet. They need workers, including workers who depend on mass transit, to fill all kinds of jobs. Cutting off those transit routes is not going to help that city recover, and throwing bus drivers on an unemployment line is not going to help that city recover.

In Baton Rouge, city leaders are desperate for transit assistance to help them serve the thousands of Louisiana residents now relocated to that city. You can't just add bus service and commuter rail services and expect to cover that cost through the fare box. They have to be subsidized, just like transit services across the country. The city of Baton Rouge never budgeted for these subsidy costs. That city is struggling to provide city services all across the board. They just can't tax all of these new residents. In fact, some of them were left with just the clothes on their backs. I am deeply disappointed that this Congress acquiesced when President Bush chose to ignore all of those needs and draw a line in the sand saying he would veto any bill that exceeded his request.

Because of that demand, the conference was also required to eliminate funding items for the gulf that the President himself requested. Here is why. The President set a limit, and if we wanted to fund anything new that went beyond that limit, the money would have to come out of the investment he requested. And one of those requested items that got eliminated in this conference was a $202 million request for HUD for tenant-based rental assistance. That funding was intended to serve some 44,000 families, including families who had received HUD support prior to Katrina, and homeless families. The bill that passed the Senate expanded the purpose of this money to include the reconstruction and repair of HUD projects in the afflicted region and to provide vouchers for about 4,500 needy citizens in the region, especially the disabled and homeless.

That provision received widespread support from numerous national organizations, such as AARP, the National Low Income Housing Coalition, American Association of Homes and Services for the Aging, and Volunteers of America. But all that support didn't matter when it came to cutting billions of dollars out of the supplemental. The end result, the conference report now before the Senate eliminated every penny that the President requested and the Senate included for that activity.

My final concern with this bill is, as I said before, it includes a budget ceiling that is far different from the one that was passed in the Senate. That budget ceiling is going to tie our hands when we work to try to help our communities. This undermines the work we do on the Budget Committee to meet America's needs. I know this was done once before, but I am still very concerned about the precedent we are setting. About 12 weeks ago, the Senate adopted a budget resolution by the narrowest of margins, 51 to 49. That budget included more funding than the President's request. That is because from the floor we did our jobs as Senators. We offered a number of amendments. Some were accepted; some were not. Some were added during the floor on consideration of the resolution.

Here on the floor we adopted amendments to boost funding for Alzheimer's research, for cancer research, for low-income energy assistance, for homeland security, for mine safety, for land and water conservation, and we added funding to help recruit a larger Army to ease the burden on all of those who are now serving. Only after those amendments were adopted was the budget resolution found to be acceptable by the bearest majority in the Senate.

Since that time, the conference committee has made no progress in reaching a final budget resolution for this year. It is this complete breakdown of the budget process that has now brought us to this point.

As Members of the Senate are aware, the budget resolution claims to do many things. But the most significant thing it does is impose a spending ceiling on the Appropriations Committee. Now that the Congress has failed to adopt a conference report on the budget, the decision was made to include a provision in this supplemental conference report we are now considering that imposes a new spending ceiling on the appropriations process. Never mind that there is no such provision in either the House or the Senate bill.

This emergency supplemental conference report now before us includes one small but extraordinarily meaningful paragraph that masks the fact that this Republican Congress has failed to enact a budget for the U.S. Government. Worse still, the ceiling that is included in this emergency supplemental bill is not the same one that was agreed to by the Senate when they barely passed a budget resolution 51 to 49. Instead, the ceiling that is included in this conference report is $9 billion lower than the level the Senate adopted, and $7 billion lower than the ceiling for fiscal year 2008. The ceiling that is included in this bill deliberately ignores the amendments that were adopted by this Senate back in March. So we are basically being presented with a spending ceiling that would wipe out the amendments that were adopted on the Senate floor and bring our ceiling right back down to the level recommended in the President's budget. The Senate already was presented with that ceiling in the resolution that was reported by the Budget Committee. But the Senate amended that proposal many times to add about $16 billion in spending to it, and only then did they find 51 votes to pass it.

I am sorry the spending ceiling is now included in this bill. I don't think it belongs in an emergency supplemental bill for the war or for the needs of the people who live on the gulf coast.

I do want to acknowledge that Chairman COCHRAN notified us that he would seek to add the deeming resolution to the supplemental. The bottom line is that a new appropriations ceiling does not belong in this emergency supplemental. The Democratic Senators on

the Appropriations Committees want to enthusiastically support the appropriations bills that our committee is going to produce over the next several weeks and months. We want those bills to pass on a broad bipartisan basis. We want those bills to address the critical funding needs of the functions of our Government, whether it is health research or education or infrastructure investment or agriculture or the needs of our troops.

In reality, it is going to be hard enough to produce appropriations bills that are going to get broad bipartisan support at the levels we adopted back in March. It is going to be almost impossible to do so if we ignore the amendments adopted on the Senate floor and impose a spending ceiling that was not proposed by the President.

So I am very troubled by this bill. It used to do a much better job of meeting our priorities at home. But the President set a limit and the Republican Congress went along, and I think that is going to hurt the families that we represent.

I will vote for the emergency supplemental because our troops need the resources to do their jobs and the gulf coast needs our help. But I am really deeply disappointed at the missed opportunities that are represented in this bill. We can do better, and I hope we stop the political games and start determining the right direction. Frankly, our troops and our country and our future depend on it.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the Senator from New Hampshire be recognized immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

COURTHOUSE SHOOTING IN RENO

Mr. REID. In Reno, NV, yesterday, a friend of mine, Chuck Weller, was shot in the chest. He is a family court judge. We have in Nevada district court judges that do everything but domestic relations and child custody and that kind of thing, which the family court judges like Judge Weller do. He was working at his desk and somebody shot him in the chest through a window. His condition has been recently changed from critical to serious. We think he is going to be OK.

This is a real tragedy for our system of justice. They have not apprehended the man who shot him. They believe they know who did it. We don't know if the man has killed anyone else, but it is a real tragedy.

Judge Weller is a person who does his very best to be fair and reasonable to those people who appear before him. When you deal with child custody matters, support matters, they are very personal, and a judge has a difficult time because there are intense feelings involved in divorce and child custody.

I am really concerned about his wife, Rosa Maria, and their two daughters. They face difficult days ahead. Everyone in Nevada is grateful for Judge Weller's public service, and we stand with the family during these difficult days.

I think of the men and women in law enforcement in Nevada and around this country; they are the finest that we have. They are the ultimate first responders. I am confident that they will bring Judge Weller's attempted assassin to justice and in the process restore peace to the Reno community. People are concerned. This happened 24 hours ago or more. The man has still not been apprehended.

Judge Weller moved to Nevada in the early 1980s. He graduated from Georgetown School of Law in Washington, DC. He was elected to the Reno family court a couple years ago. During his election, he said he wanted to be a judge because ''you can help a lot of people.'' He was right. Judges do help a lot of people. They make decisions that are very important, but they help us all by administering justice across the country.

We were reminded yesterday that sometimes judges need our help, particularly when it comes to protecting them from violence. It is an unfortunate fact that violence against judges, such as we saw in Reno yesterday, is not unique. It happens far too much.

Federal judges receive an average of 700 inappropriate communications or threats every year. State court judges, because there are so many more, receive thousands. There is no room in our country for violence, but certainly not in our courthouses. That is where Judge Weller was, in the courthouse. These are some of the most heinous crimes we experience, I believe.

But for the bravery of the men and women who serve on the bench in our courthouses, this violence undermines our entire system of justice. We can and must do everything we can to prevent these tragedies.

Judges like Chuck Weller, clerks, jurors, and others who are serving their country at courthouses and upholding the law must be free to do so without threats to their lives.

One of my valued employees, Darrel Thompson—a fine person—was called to jury duty in Washington, DC. He apologized and said, ''I am sorry I cannot be at work today.'' I said, ''Darrel, this is your obligation. I wish I could serve on a jury.''

Mr. President, I have tried cases before more than a hundred juries. I told Darrel this is his civic duty. I feel that way so strongly that the system of justice must be administered without intemperance, without threats of violence.

In Reno, the city and county are in the process of determining what actions they can take to prevent incidents like this from occurring at the courthouse. One of the things they are going to try is to put a film on the window so you cannot see as well. One of the people said, ''I don't think we can afford bulletproof windows.'' That is up to local government. Certainly, we at the Federal level should do whatever we can to assist in the administration of justice all over the country.

I have contacted the county commissioner in Washoe County to extend my support in doing whatever we can do from here to prevent such tragedies. If we can give Federal assistance all around the country, then we should do that. Certainly, we cannot have things like this taking place.

A good place to start would be passing the court security bill, S. 1968. This was introduced last year by Senators SPECTER and LEAHY, the chairman and ranking member of the Judiciary Committee. I intend to offer—unless they do it—the text of that bill as an amendment to the next amendable bill on the Senate floor.

S. 1968 was introduced following a wave of violence against judges and their families in our country. A State court judge in Atlanta was killed by a criminal defendant. We also know that family members of a Federal judge in Chicago were killed by a deranged litigant. In the last 25 years, three Federal judges have been killed. Now Judge Weller, a State judge, has fallen victim. We are hopeful and confident that he will pull through.

The Specter-Leahy bill would improve protections for both Federal and State judges. For State courts like the Reno Family Court, the bill would authorize Federal grants to improve security. These Federal grants might be used to strengthen courthouse infrastructure, such as adding bulletproof windows, or it might be used to hire additional security personnel in the courthouse.

There are times when the Federal Government must step forward. One example, which is so important, is when the Federal Government stepped in to give rural police officers the money to buy bulletproof vests. Little counties in Nevada and other places simply could not afford them. They need bullet proof vests for protection. So there are things we can do to help in the administration of justice and police officers generally.

The Federal Government already plays a role in educating State court judges. I have played a role in helping to fund the National Judicial College and keep it funded. It is based in Reno. Judges, I am sure, from New Hampshire, Tennessee, North Dakota, judges from all over the country, have been to the State judicial college in Reno. It is a wonderful facility for training judges. It is now entirely appropriate for the Federal Government to bolster its support for protecting State court judges from physical harm.

The States will take the lead in protecting their own State court officers, but the Federal Government can and should help develop best practices and replicate successful security models around the country. Congress should take immediate steps to try to prevent

a recurrence of the Reno tragedy from occurring in other places.

I want to extend my thoughts and prayers once again to the Weller family that all will be well with Chuck. It is a difficult time for them and the entire Reno community. I ask everybody here to keep the Wellers in their thoughts, because this could be a judge in your State. But, in fact, it is in Nevada, and we are going to do everything we can to protect the administration of justice in our country. I appreciate very much the senior Senator from New Hampshire allowing me to speak before him.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I ask unanimous consent that after I speak Senator DORGAN be recognized, and then that Senator VITTER be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I rise to speak a little about the supplemental appropriations bill, which is now pending. I want to begin by congratulating the Senator from Mississippi, Mr. COCHRAN, for the extraordinary job he did in producing this bill. When it left the Senate, it was around $105 billion. It comes back to us from conference at $94.2 billion or $94.3 billion—I forget the exact number. It was not easy to bring it down from the Senate position to what was acceptable to the President and to the House. It was really a result of Senator COCHRAN simply saying that we are going to make these difficult decisions and we are going to have a bill that meets the conditions the President laid down for our spending responsibility. He deserves a great deal of congratulations and respect for having accomplished that.

Within the bill, he has included also an issue which I am interested in as chairman of the Budget Committee. It is what is called a ''deeming resolution.'' It sets the amount of money that can be spent on the discretionary side of the budget. That is those accounts that we appropriate, on which we spend every year, and which are automatic expenditures for things like education and some of the health care accounts and national defense are some of the big ones, as is homeland security.

This deeming resolution has set a number of $873 billion, which I think is a very responsible number, which the President sent up in his budget, and the number the House had in their budget. It wasn't the number that left the Senate when we passed our budget. One of the Senators who spoke before me from the other side was upset that the number that passed the Senate was not included in the deeming resolution, which is a fairly ironic position for anybody to take since they voted against the budget as it left the Senate.

In any event, the deeming resolution as it is in this budget is the number that was agreed to between the Republican leadership of the Senate and the House, and it was the number that the President felt was appropriate. It will be a difficult number to obtain, there is no question. It represents significant fiscal restraint. It is a clear marker that we are going to try to restrain the rate of growth of the discretionary side of the budget, which is critical to putting in place fiscal responsibility.

I think it is important for people to know that, yes, we presently have a very large deficit. But this deficit is coming down rather precipitously from where it was projected to be 6 months ago. It was projected that we would have a deficit of well over $400 billion. We are projecting this year that it will be in the $300 billion range. That is a very positive move in the right direction. Part of that move is a function of the fact that we have started to control the rate of growth of the Federal Government, independent of our needs relative to fighting the war on terrorism and Katrina, which are events that we need to simply spend money on because of the catastrophe of Katrina and because of the need to have our troops in the field and have what they need to be adequately supported.

Another reason the budget deficit has come down so much in the last few months is because our revenues are coming in as a result of the President putting into place, and the Republican Congress supporting the effort, economic policies which energized the economy dramatically—putting in place a tax policy that is fair to entrepreneurs and risk-takers in this country. We have seen people who are willing to go out and take risk, taking action that creates taxable events. Specifically, they have created new companies, created new economic activity and new jobs.

As a result of those things, revenues are jumping dramatically. We have seen the largest revenue increase in the last 40 years, I believe, in this last year; and the year before that, we saw a historic revenue increase. The Federal Government is back to essentially where they were, in a historical context, over the last 20 years as a percent of gross national product. Those revenues had dropped precipitously over the last 3 years because of the breaking or bursting of the Internet bubble and the attack of 9/11, which caused a recession.

So we are seeing the economy come back. We are seeing 5.3 percent growth, which is extraordinary. We are seeing a job situation where we have virtually full employment. According to the economists, when you get down to an unemployment level below 5 percent, you are basically talking about full employment. We have seen this as a result of this expansion of the economy that has now been going on for 39 straight months, or something like that. We have seen a huge jump in revenues, and the effective result of that is that the deficit is coming down also. In fact, if you were to take out the cost of fighting the war against terrorism and the cost of paying for the Katrina tragedy, we would essentially be functioning on what would be statistically considered to be almost a balanced budget.

We would be at a historic low relative to the deficit as a percentage of the gross national product over the last 20 years. So we are moving in the right direction. By putting in place this deeming resolution 873, we are asserting we are going to be aggressive to try to control the rate of growth on the discretionary side. That is all positive and good, and it largely comes about because we have very strong leadership on the Appropriations Committee through Chairman COCHRAN and his commitment to fiscal discipline.

Another issue I wish to talk about and put the issue in the correct context so people understand what is actually happening is the issue of border security because there has been a lot of confusion as to how much money we are spending on border security, where we are spending it, and what it is being spent on.

I have the good fortune of chairing the Homeland Security Subcommittee of the Appropriations Committee. As chairman of that subcommittee, I suggested we put in the supplemental as an emergency item—not as an emergency item, we paid for it—$1.9 billion, the purpose of which would be to pay for capital items which were in dire need by Customs, the Border Patrol, and the Coast Guard. These are items such as airplanes—Customs is flying 20 or so P–3s, and they were all grounded a month ago because they are 40 years over their useful life and they have serious structural issues that have to be checked all the time or they have the potential of serious structural issues—new helicopters because the helicopters are 20 years past their useful life; new cars to be used on the border because the Border Patrol goes through cars rather rapidly because of the harshness of the terrain in which they have to use them; sensors; and unmanned vehicles. With the Coast Guard, it is fast boats to be used to make sure our shorelines are protected from people coming across who shouldn't be coming across and maybe want to do us harm.

These are all capital items. The reason I suggested we do capital items is because I didn't want to create an outyear cost which we couldn't afford to pay for under the present budget system, but I did want to take off the table items I knew we were going to spend money on if we were going to have an effective Border Patrol, to have an effective Customs agency, and to have an effective Coast Guard.

The White House looked at that number and said they really didn't want to do that. Instead, they shifted over and said: Let's do operational items, and they decided to take, of that $1.9 billion, about $800 million and spend it putting the National Guard on the border, and the balance of the money they

basically used to project the hiring of new people and the addition of beds for detention, both of which I support, but both of which create certain issues, and that is what I want to talk about briefly—the issues created by the supplemental and what will occur in the followup appropriations bills of Homeland Security so everybody knows the playing field that is being defined.

The practical effect of this supplemental is, yes, there will be money in place to hire an additional 1,000 agents. We already had money in the pipeline to hire an additional 1,500 agents this year. It takes about 40,000 applications before you can get 1,000 agents. It is not easy to hire them. Then you have to train them, and you have to have a physical facility to train them, which we have in New Mexico. But that facility doesn't have the capacity to train 2,500 agents a year; maybe 2,000 but not 2,500. It is unlikely we can hire an additional 1,000 agents before the end of this fiscal year—maybe 300 or 400, maybe even 500. But I will agree that by putting the money in now, we accelerate what we planned to do next year, which is to hire another 2,000 agents. So we are accelerating that event, if that is the goal.

Secondly, the proposal basically prefunds bedspace which should be funded and creates an outyear cost as a result of that and does a series of other operational things and actually some capital items with which I totally agree, such as technology investment and unmanned vehicle investment.

But the practical effect of doing it this way is we create what is known as a budget tail or an expense in the outyear which we are going to have to pick up, and that is the point I wanted to make today in as factual a way as I can because it is a very big issue we are going to have to deal with as a Congress, and that is this: The President sent up a budget proposal for next year, 2007, which was essentially $32 billion, rounded up. That request had an assumption of 1,500 new agents, 1,500 new agents we put in this year would be paid for, and then an additional assumption of another 1,500 agents, I believe, on top of that for next year.

It also had in it a request that part of the money, the $32 billion, be paid for by raising the airline fee which people pay as a tax when they get on an airplane basically to fund the increase in the border security activity, primarily with the Border Patrol agent expansion, of $1.2 billion. That proposal of $1.2 billion had been sent up 2 years ago, and it was rejected out of hand. Why? Because the chairman of the authorizing committee, in what I think is a fairly legitimate view of the issue, said: You shouldn't be raising the tax of people getting on airplanes for the purpose of protecting the borders. The airplane tax should go to TSA and FAA and things which are used to make air transportation safer, but it shouldn't tax the airline transportation industry, specifically the passengers, to fund border activity.

When it was sent up again this year, it was basically dead on arrival, which the administration knew it would be. It wasn't a surprise because they had gone through this before. Actually, what they sent up was a request for about $32 billion in spending but funding for about $30.8 billion in spending, which means there was a $1.2 billion gap. That will be difficult to fill in, in and of itself, were that the only problem. But in order to fill that, basically Senator COCHRAN, as chairman of the full committee, is going to have to take it from some other committee to give it to my Homeland Security Subcommittee to pick up that $1.2 billion, if he is generous to do that or believes it is the right policy. He will have to take it from somebody else. I assure you, whomever he takes it from is not going to be all that appreciative of having lost $1.2 billion.

That would be a major hurdle to begin with. Now throw on top of that $1.2 billion shortfall the fact that in this bill, they have forward-funded 1,000 agents plus a lot of other operational expenses, and they have not funded the Coast Guard costs of what is called their fast boat or the expansion of their coastal protection efforts. They have taken the $600 million we intended to use to do that and spent it on the National Guard. And we have created approximately—the number fluctuates on what one deems to be capital and doesn't deem to be capital. My guess is we are somewhere in the range of $1.4 billion in operational expenditures which are now put in the pipeline which are not funded for the year 2007.

In addition, the administration tells us—and I would agree with this if we could do it—in the 2008 budget, they are going to ask for 3,500 new agents so that we can ramp up as quickly as possible to the ultimate goal, which is 20,000 agents. It is possible by the 2008 period that we will have the training facilities at a position where we can hire 3,500 agents. It is also possible that we could get 100,000 applications or 120,000 applications or so, whatever it would take to get 3,500 people. So that is a possibility. But the implications of that are significant in the form of cost.

What does this put at risk? All these costs have been put in the pipeline in a manner which is basically upfronting operational costs but not taking off the table capital needs. The practical implications of the $1.2 billion, if it is not found by Senator COCHRAN—and I am not asking him to. I think if the administration is going to take this position, if they are going to make their bed, they ought to be asked to sleep in it.

If Senator COCHRAN cannot find that $1.2 billion, the practical effect is we could not maintain the funding for the 1,000 agents that have just been put in the supplemental. We also could not add the new 1,500 agents we would need in order to fund what we expected to do in the 2007 bill. We would have to reduce technology and science and sensor technology by about $100 million. We would have to limit infrastructure construction, especially fence construction, by about $100 million. We would have to reduce detention expansion capability by about 6,700 beds.

We would have to reduce fugitive operations, where we try to find these people and get them out of the country, by about $60 million. We would be unable to forward-fund the effort to get the IDENT and the EFIS systems to communicate with each other for the purpose of a U.S. visit, which is absolutely critical. That is where you come across the border, and they fingerprint you. They take two fingerprints of you. By taking 2 fingerprints of you, they can't communicate with the FBI database which has all the criminals in it because that database requires 10 fingerprints. So essentially we are limiting our capacity to figure out who is coming across the border as it relates to the FBI database. There is a protocol where they try to get the worst people and make it work, but the fact is, we have tens of thousands of fingerprints that are not able to be adequately vetted. That would have to be put off. The need to come up with a card with biotics attached to it so we could have a tamperproof identification system would probably have to be put off because we couldn't pay for that. That is a big one.

These items would have to be put off, plus the Coast Guard—and this really frustrates me—the Coast Guard, in order to build out the fleet they need—and they are functioning under old boats, a lot of old boats, and they have helicopters which are not properly structured, many of them, most of them, the vast majority of them are not armed—build out program to get things right and get positioned correctly to protect our coastline, instead of being completed in 2015, which was our goal under our supplemental request, will end up being completed in 2023 or 2024 and cost more money to do it because of the spread out.

So we are facing a lot of very serious issues as to what we will be able to fund and how much we will be able to fund under the present game plan or blueprint as it is set out for this year and next year as a result of this supplemental.

I thought it was important to come down to the Chamber and try to lay out the specifics because at some point, we are going to have to face up to the reality that there is a disconnect between what is being proposed and what is being paid for. This is not going to work.

Mr. President, as chairman of the Budget Committee, I regularly comment on Appropriations bills that are brought to the Senate for consideration and present the fiscal comparisons and budgetary data. Because of its importance, I will also follow that practice for the pending conference report.

The conference report to accompany the Emergency Supplemental Appropriations bill for fiscal year 2006, H.R. 4939, provides $94.430 billion in budget authority and $24.327 billion in outlays in fiscal year 2006 for contingency operations in Iraq, Afghanistan, and the global war on terrorism; relief from Hurricane Katrina; other emergency assistance; border security; and avian flu. Of these totals, there are no mandatory funds included. $143 million in outlays in the conference report are not designated emergency; these outlays will count against the discretionary allocation for regular appropriations for fiscal year 2006.

The budget authority in the conference report is within the level of the President's request of February 16, 2006, when adjusted for avian flu. It is also $14.468 billion less than the Senate-passed bill, which clearly demonstrates significant progress in conference with respect to conforming the measure to the initial request.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee's estimate of the bill be inserted in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

[Fiscal year 2006, $ millions]

President's request:[1]	
Budget authority	92,221
Outlays	23,626
Conference report:	*General purpose*
Total spending:	
Budget authority	94,430
Outlays	24,327
Emergency:	
Budget authority	94,541
Outlays	24,184
Non-emergency:	
Budget authority	−111
Outlays	143
Remaining 302(a) allocation prior to enactment of supplemental:	
Budget authority	9,279
Outlays	4,365

[1] The President's 2007 budget request included $2.3 billion for avian flu; for comparison purposes the President's supplemental request adjusted for avian flu totals $94.521 billion in budget authority.

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. GREGG. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, the issues that have just been discussed by my colleague, and others as well, about fiscal discipline are very important issues. I would make the point that I don't think one can find fiscal discipline around here with a high-powered telescope. There is no fiscal discipline around here, unfortunately. In fact, the very bill we are debating at this point is appropriating something over $90 billion, none of it paid for—none of it.

Emergency funding for defense, emergency funding for Hurricane Katrina. We have done emergency funding for defense previously. We have done it again, we have done it again, we have done it again. We are now over the hundreds of billions of dollars, all in emergency funding, and we are pretending somehow we have some discipline. It is imperative for this Congress to begin thinking about what this means for our kids and grandkids.

The conference report before us is a conference report that falls short on this very specific area about which I am concerned. Let me mention another area first.

One of the things this bill does is fund a great deal of money for the Defense Department for money that has been consumed in Iraq and Afghanistan in prosecuting the war. It replenishes military accounts, and we are going to do that, we understand that. We have a responsibility. We cannot send American troops abroad and decide we are not going to fund that which they need to do their jobs. We understand that. It would be smarter if we paid for it all, by the way. It would make a great deal of sense if we decided to pay for this rather than charge it to the kids and grandkids. But here we are, once again.

One amendment that was stuck in the bill when it left the Senate was very simple. It was the determination of the Senate that we were not going to have permanent military bases in the country of Iraq, that we were not going to have permanent military basing in Iraq. The Senate agreed with that. My expectation is that we are in Iraq because we want to provide freedom for the Iraqi people, we want to deal with the insurgency, and at some point bring our troops home.

Saddam Hussein was found in a rat hole. He is now on trial. Perhaps he will be executed. The Iraqi people are rid of Saddam Hussein, who committed mayhem and murder on a grand scale. There are unbelievable numbers of skeletons of people who were murdered by Saddam Hussein who turned up in mass graves. So we are there. And we want the American troops to finish their mission and to be able to come home.

But the Senate had previously decided on this bill that we wanted not to have long-term military basing in Iraq. One of the reasons for that decision I think is the administration asked originally for $1.1 billion to build a U.S. embassy in Iraq, which would be the largest embassy in the world: 1,200 employees and $1.1 billion. So I regret that the provision dealing with a decision that we were not going to have a permanent military presence, military basing in Iraq was taken out in conference. That was a bipartisan decision by the Senate to put it in, and I regret it was taken out. Nonetheless, it was.

Let me describe just for a moment my concern about another significant part of this bill. I am happy to be supportive of the efforts to help the people in the gulf region who were devastated by the worst natural disaster to ever hit this country. When Hurricane Katrina hit, people were displaced and people were killed, and it was devastating to be there, and devastating to watch, for that matter. I think this Congress very quickly said to those people in the gulf region, You are not alone and we want to help you. I come willingly and in an interested way to be a part of the people who say we want to help you.

But this piece of legislation that is now before us with respect to family farming—and that is what I want to talk about specifically—says something very unusual and very unfair. It says those farmers in the Gulf of Mexico who lost their crops due to a hurricane called Katrina are going to get some help. They are going to get some disaster relief. All the other farmers across this country who lost their crops: Sorry, you are out of luck.

The U.S. Senate included a provision that I authored in the Appropriations Committee that provided $3.9 billion in disaster assistance for all farmers in this country who lost their crops due to a disaster. Let me just describe what happened around this country last year.

Last year around this country we had a whole series of things happen. We had serious drought, the third worst year for drought purposes in Illinois since 1895. We had the third driest year in well over a century. In Missouri, Iowa, Indiana, Arkansas: The worst drought since the 1980s. Oklahoma wildfires destroyed—burned—one out of every 100 acres. In North Dakota, this is an example of what the fields looked like. We had 1 million acres that could never be planted. It was never planted. One million acres was planted and washed away. We had farmers who had just dramatic amounts of rainfall. We had one farmer who received one-third of all of the yearly rainfall in one day; just washed everything away. This farmer lost everything.

Once again the U.S. Senate said: We are going to provide disaster help to farmers who lost their crops. It doesn't matter where they are. In the Gulf of Mexico? Yes. To a hurricane? Yes. But then when we got to conference, the President prevailed. The President said, I will veto this bill if it has disaster relief in it, and the Speaker of the House and the folks who march to that tune in the conference said: No, you can't have disaster relief; we will only allow disaster relief for gulf farmers who lost their crops.

So that is the way it came out of the conference. The folks who were burned out, the folks who dried out, the folks who were flooded, those farmers were left behind, once again. And it starts at the doorstep of the White House.

It was this President who came to North Dakota some long while ago and said to farmers: When you need me, I will be there. I will be there for you. Well, we needed him. He is the one who said, I will veto the legislation if you provide disaster relief for farmers. So

he was successful. They stripped the Senate provision out of the bill. When it came out of the Senate, it was a bipartisan provision. It was supported by the chairman of the Senate Appropriations Committee. It was supported by the Senate conferees upon a motion of mine, once again, in the conference. I sat downstairs in this building at 1 o'clock in the morning. We fought for five hours to try to put this in conference, to keep the Senate provision in conference, and we lost.

Someone once said that common sense is genius dressed in work clothes. The question of common sense here is this: Why should we have a circumstance that we are going to legislate now with this conference report that says if you are a farmer in one part of the country and lost everything, you get a little help. If you are a farmer in the rest of the country, Sorry, Charlie, it is over; no help for you.

Rodney Nelson, who is a cowboy poet in North Dakota, wrote an op-ed piece once in the North Dakota papers, and he asked a question about farming. There aren't many people here who are farmers. We come wearing suits. We have nice, shined shoes. We do our work in white shirts. Nobody here is in farming. But the people out there living on the land, raising livestock, planting a seed, hoping they will grow a crop, hoping they will be able to harvest and go to the grain elevator, and perhaps make some money, and be able to carry over for spring planting the next year, those are America's heroes. Those family farmers struggle.

Rodney Nelson asked this question: What is it worth to a country to have a kid that knows how to plant a crop? What is it worth to a country to have a kid that knows how to fix machinery, how to hang a door, how to weld a seam, how to grease a combine, how to butcher a hog? What is it worth to a country to have a kid know how to feed a newborn calf out of a pail? What is it worth to a country to have kids that know all of these things? What is it worth to a country to have a kid know how to go out and work in bitter cold winters or hot summer sun? What is that worth to a country?

The only university that teaches all of those things is American family farming. It is out under the yard light on the family farm someplace. That is where they teach these courses. Carpentry, welding, mechanics, and horticulture, all of these things you learn on the family farms—agriculture, livestock.

Once again, the farmers who have had these fields and ended up having no crop, some of whom are now out of business, they will lose those farms because they can't go a year without income. The bank doesn't say, We are sorry about that. I will tell you what. We won't need our money from you. You just don't need to pay us.

Some of these farmers will have been gone by now. But we were trying to say to them, You are not alone. We know you got hit really hard with torrential rain in North Dakota and drought in Missouri and Illinois. That is what the Senate was saying. The Republicans and Democrats here said that. And then we got to conference and the President and the House conferees led by the Speaker said: No way; we don't intend to do that.

We are not asking for the moon. This was just a little bit spilling from the barrel. We have talked about all of this money, billions and tens of billions and now hundreds of billions of dollars, all of which have gone through an Appropriations Committee, none of which has been paid for to deal with wars and all of these issues. I understand why we have to do this. What I don't understand is why we are not willing to do what we should do as a Nation to farmers last year who got hit with natural disasters and who lost everything.

I don't come to the floor to say that the people in the gulf shouldn't be helped. Of course they should. I don't come to the floor to say farmers who lost their crops in the gulf shouldn't be helped. Of course they should. I am the first to support them. But I do come to the floor of the Senate to say it is fundamentally unfair to decide there are a couple of classes of farmers who lost everything, and the first is a class that lost it to a natural event, a weather event that has a named called a hurricane.

My colleague, Senator DURBIN, suggested maybe our problem was that—since we had a weather event in June of last year that provided one-third annual rainfall in 24 hours and washed every seed out of the ground—maybe our problem was we didn't name it. They name hurricanes. They didn't name that torrential rain. Maybe if they had named it, then we would have a circumstance where the President and others would say, Let's treat everybody the same. If you got hurt, if you lost everything, we are here to help. That should have been the refrain from this Congress and should have been the refrain from the White House. Regrettably, it wasn't.

So, after working for months, after beginning in the Senate Appropriations Committee on a bipartisan basis, with the chairman of the committee and others, Senator BURNS from Montana and many others, after doing that, after coming from the floor of the Senate and defending it, getting it through the Senate and going to conference, we got stiffed. When I say ''we,'' I am talking about people who lost everything out there that fully expected this Congress to do the right thing.

Regrettably, this conference report, while it does the right thing in some areas, in my judgment shortchanges a lot of farm families who had high hopes that this Congress would do the right thing for them.

So we will live to fight another day for fairness, but this conference report with respect to the way it treats family farmers who suffered disasters last year certainly cannot be linked under the category of fairness, in my judgment.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CHAMBLISS). The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I stand in strong support of this supplemental appropriations bill. There are many, many very important reasons to support it, and certainly one is because of the essential support it gives all of our Armed Forces around the world, particularly with regard to the crucial fight in Iraq. That is an essential reason to support it. Certainly the important money it puts toward border security, and we must do so much more with regard to border security.

I stand first and foremost and primarily with a focus on the crucial challenge of hurricane recovery all along the gulf coast, including in my home State of Louisiana. I strongly and proudly support this bill because it is an enormous help, an enormous commitment at the Federal level of keeping true to President Bush's Jackson Square pledge to make sure we have a full and robust recovery on the gulf coast.

This hurricane experience has been surreal for so many, literally millions who lived through it, including me. And it hasn't just been Hurricane Katrina which, of course, devastated southeast Louisiana as well as Mississippi and parts of Alabama. It has been Hurricane Rita, too, which damaged, devastated south Acadiana and southwest Louisiana just a few weeks after Hurricane Katrina.

It has been quite an experience in terms of introducing me to my work in the Senate. I will never forget so many of the experiences I lived through and saw firsthand, obviously Hurricane Katrina hitting on August 29 and seeing the aftermath of that, the unbelievable devastation, particularly because of the levee breaches in the New Orleans area. After living there on the ground, working on those issues day in and day out, I finally returned to the Senate on September 13 and stood here on the floor and tried to communicate exactly what I saw, but it was difficult because, again, so many of those images were just so surreal, so outside the realm of anything I had experienced before.

Then, just a few weeks later, September 24, it was almost unbelievable, but it happened. We were socked by a second devastating Hurricane Rita that went into the Texas-Louisiana border area, but really affected the entire Louisiana coast because it came in at an angle from the southeast to the northwest, in that direction, pushing flood waters all up and down, east and west of the Louisiana coast, but of course particularly devastating southwest Louisiana and south Acadiana.

I remember in that entire period thinking many times, and I will be

happy to admit this, none too proudly, that this was heavy, heavy lifting in terms of my new job in the U.S. Senate. I remember on more than one occasion e-mailing my wife Wendy that this just seemed so tough a haul in terms of what we needed to do, including through Federal legislation, particularly as it was hitting when understandable concerns about spending at the Federal level were at an all-time high. I noted in several of those e-mails that it just seemed like a very, very tough haul.

After months and months of work and joining with so many others in the gulf coast and outside the gulf coast and all around the country, I am so delighted that we are really getting that job done in terms of this Federal support. What seemed like such an uphill battle so many months ago is finally coming together, in terms of very aggressive, very robust Federal help.

Let me make clear, that is not primarily because of my effort. That is not primarily because of the effort of the rest of the Louisiana delegation—which has been completely united and which has worked very hard, yes—but that is primarily because of the leadership of others and their efforts. So I primarily come to the floor today to say thank you to those leaders.

Of course, we have to start with President Bush, the President of the United States. On September 15 he stood in Jackson Square and addressed the Nation. I was there personally. I will never forget that moment. It was surreal, in some ways, because the entirety of the French Quarter was dark, uninhabited, but there we were in Jackson Square and the President was speaking to the Nation, making a firm commitment that New Orleans and Louisiana and the gulf coast wouldn't just come back but would be rebuilt smarter, better, stronger than ever.

This legislation keeps that pledge. It makes good on that promise, and it only is happening because of the President's strong leadership in this regard. So in all my thanks—and we have many people to thank—I want to start first and foremost with President Bush. He stated it unequivocally, boldly, strongly on September 15 in Jackson Square, and he has made good on that pledge and that promise. This legislation helps do exactly that.

I also want to specifically thank all my fellow Senators, particularly leaders in this regard such as Senator COCHRAN, the chairman of the Appropriations Committee. In the months following the tragedies of Hurricane Katrina and Hurricane Rita, some of the most important work I participated in was getting fellow Senators, fellow Members of Congress, down to the devastated regions, allowing them to see the scope of the devastation firsthand. So many came and so many responded in terms of really getting it, really understanding exactly the unprecedented scope of this devastation. So I thank all my colleagues who did that, all my colleagues who joined together in this enormously important boost for the gulf coast and for Louisiana.

Again, there are very many folks who worked hard on it, but none harder than the chairman of the Appropriations Committee, Senator COCHRAN, himself, of course, from a devastated State. So I deeply and sincerely thank all those fellow Members of the Senate.

What is it that we have accomplished? It really is a lot from the Federal level: passing the funding, the support, the help we need on the gulf coast for our full recovery. I am proud and happy to say in all of this the Senate has led the way through the leadership of Senator COCHRAN and others, in terms of passing the levels of support we need. The Senate led the way, the Senate bill led the way in the conference committee.

Several categories are enormously important. First, in this bill $4.2 billion for Louisiana of community development block grant funding. That is enormously important. It will complete a $12 billion package for Louisiana primarily dedicated to homeowners, many of whom lost everything, and to housing needs. That is crucial in terms of revitalizing and rebuilding our community for the better.

Another absolutely crucial issue as a threshold concept is rebuilding the levees far better than before to give everyone in the region peace of mind that we will have adequate protection in the future. Again, in this bill, $3.7 billion will go to the Corps of Engineers for their ongoing emergency levee repairs and reconstruction. Just as important is crucial authorization language that is necessary to allow them to get that work done immediately. Again, a crucial threshold issue. Nothing will happen in terms of a robust recovery in the New Orleans area without knowing that we will have the levees we need to give individuals, families, businesses real security in the future.

Other important categories—$500 million for agricultural relief, focused on the gulf coast region where the devastation from Hurricanes Katrina and Rita happened. Again, I acknowledge Chairman COCHRAN, who kept that package in the bill—slimmed down, yes, but vitally important nonetheless—and preserved it in the conference committee negotiations. That was enormously important.

Similarly, fisheries, $118 million for fisheries that were decimated all along the gulf coast, particularly in Louisiana and Mississippi, is another crucial component in the bill.

This is so important and is vital particularly when coupled with our earlier legislation, a big bill in December where we passed billions in December also in CDBG funds, in levee money, in health care—Medicare and Medicaid—in education, passing money that followed the evacuee child wherever that child went so we can pay for those extraordinary needs, and in higher education, in extraordinary help for local government where the tax base was decimated for the foreseeable future, jurisdictions such as Saint Bernard's, the sheriff's office, local government, the city of New Orleans, and others.

Also, crucial legislation in December on the tax side of the equation—GO Zone legislation—to provide powerful incentives for businesses, families, and individuals to come back and rebuild and bring the jobs with them to revitalize our economy because that is at the core of our recovery as well.

I say thank you to the President of the United States, to all of my Senate colleagues, to all who worked on this crucially important legislation. I say it with every piece of sincerity and heartfeltness in my body because this has just been a matter of survival, of life and death for all of us in Louisiana.

The most important way I can say thank you is in continuing to work with folks on the ground in Louisiana to assure all of you, to assure the President of the United States, to assure the American people, that this money gets spent right on the ground; that it is not just thrown at a problem but actually helps fund positive change and reform on the ground in Louisiana because that is exactly the leadership we need to move in the direction we need to take.

As we turn our attention to how that money is spent on the ground, I assure you I will be an active participant in that work, an active player in that debate. I will continue to use all of my leadership skills, everything I can muster, to make sure, again, that this enormous Federal support that everyone here—the President and others—has made possible goes to fund positive change and reform on the ground in Louisiana. We certainly need it in a whole host of categories: political reform, levee board reform, health care restructuring, educational improvement through charter schools, and the like, and on and on.

That is my pledge to my colleagues. That is, perhaps, the best way I can continue to say thank you for this vitally important help that will mean New Orleans, LA, including southwest Louisiana, decimated so hard by Rita, the entire gulf coast comes back—but also comes back better, stronger than ever.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I have come to the floor to try to bring a sense of urgency to the Senate about getting this conference report finally approved. The House has approved it. The conference report has been duly approved by a majority of the Appropriations Committee. The distinguished chairman of the Appropriations Committee, Senator THAD COCHRAN, is here now. I, as chairman of the Defense Subcommittee, want to point out that this supplemental was received by the Senate on February 17, and it is now June 13.

The Army has notified us of the need, and we have approved reprogramming of $1.4 billion to carry the Army through June. The difficulty is that we are now informed, despite the circumstances of the reprogramming, the Army, at the end of June, will have only $300 million left in its O&M account. The O&M account is the money to pay bills for any of the departments, and I think as we look at this, Members of the Senate should realize all over the country there are actions being taken now to the detriment of many of our bases, our ports, and various installations even here at home, here in the United States.

But the main thing is that the Chief of Staff of the Army, GEN Peter Schoomaker, has asked Chairman COCHRAN, on May 17, to do his best to accelerate the approval of this bill because almost half of the money that is in this supplemental appropriations bill is for the Army. I don't think there are many Senators who realize that every time there is a reprogramming it involves a real change in the overall structure of the Army. They must take money from various accounts and reprogram it into the operation and maintenance account in order to meet current bills—not only current bills here at home but in the war zone.

Very clearly, the impact of this is being felt, as I said, all over the country. For instance, I received notice from Fort Greely, in Alaska—that is the national missile defense base—that there have been a series of layoffs now at that small fort due to the program that the Army has had to undertake. I have before me the instructions that were given by GEN Dick Cody, the Vice Chief of Staff. He gave it to all general officers on May 26; that is, he has given instructions—really a command to the Army—to reduce spending while ensuring that life, health, and safety issues are covered. The priority is to continue critical support to ongoing operations and readiness activities for units and personnel identified—and that meant with regard to rotation concepts. But with the exception of those concepts, General Cody has commanded that the bases—and this was beginning May 26—not order noncritical spare parts or supplies.

He advised the Army Materiel Command to reduce the purchases and to postpone and cancel all nonessential travel and training conferences and to stop the shipments of goods unless necessary to support deployed forces and units with identified deployment dates.

What I am trying to tell the Senate is that right now, beginning on June 15, here are the orders starting 2 days from now: Release all temporary civilian employees funded with O&M accounts or performing O&M fund work. That includes depot operations. Freeze all contract awards and new task orders on existing contracts. Process solicitation of new contracts only up to the point of award. Suspend the use of all Government purchase cards. And if this bill is not approved by June 26, beginning June 26 release service-contracted employees to include recruiters, if doing so will not carry penalties and termination costs.

General Cody has advised there may be other painful actions necessary if they don't get these funds.

I think this is a critical situation right now. The impact of not getting these funds now really causes duplicate actions. They not only have to seek reprogramming for transfer of the funds from other accounts to O&M, but then when they get these funds they will have to have authority to reprogram the funds from this account back into the accounts from which they are taken. This really causes enormous manpower problems in the Department of the Army handling situations like this.

I have come to plead with the Senate, let's settle the disputes on this bill. The bill is final now, in terms of the conference report. It is not subject to amendment. I can tell every Member of the Senate, the longer this bill is delayed the more people are going to be laid off in every State of the Union. It doesn't make any sense at all to delay getting this bill to the President. It is ready, it is overdue, and it is time we realized there are substantial costs to the military, when we know they have a crisis that requires supplemental appropriations, not to get the bill approved and to the President as soon as possible.

I plead with the leadership, I plead with both sides, let's approve this conference report and get it to the President tomorrow. In doing so, it will prevent that list of items I just mentioned that will occur starting June 15 because I am assured the President will sign the bill as quickly as possible after Congress has approved it and the Senate will take final action on this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Alaska for his comments. He is insightful. He is experienced. He understands the implications that would flow from the failure of the Senate to act promptly in approving this conference report. He is chairman of the Defense appropriations subcommittee. He has previously served as chairman of the full committee. He has had a wide range of experience in the military service himself during World War II. I think we should listen to him and we should act in accordance with his suggestions and recommendations. I hope the Senate will not prolong this debate unnecessarily.

Everybody has a right to be heard. Everybody has a right to express their views. But the opportunity is now. Let's finish talking about this bill this evening and let's vote on it the first thing in the morning—whenever it is the pleasure of the leader for us to do so. I commend him and thank him for his strong leadership.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SALAZAR. 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. SALAZAR. Mr. President, I rise today to state that I will vote for the emergency supplemental conference report that is before us, and I will do so without hesitation. I expect that most of my colleagues will also join in that vote. We will vote in that way because we know our brave men and women in uniform are currently in harm's way. They are in harm's way, and they need the resources this bill provides for them to move forward.

I also strongly support the hurricane relief and the reconstruction element of this conference report. Those funds are very much needed to address the urgent issues we are facing in the gulf coast and the reconstruction of that area from the disaster which was caused by Hurricane Katrina.

I appreciate the leadership of Chairman COCHRAN and the rest of the delegation from the Gulf Coast States that has brought this matter to the urgent attention of the American Nation. But I also rise to express my disappointment in what is not in this conference report and to help give voice with my colleagues to the millions of farmers, ranchers, and rural communities where needs have not been met in this report.

I am disappointed with the prevailing attitude in our Nation's Capital for the men and women who produce an abundant supply of the safest and highest quality food in the world. This bill is literally leaving them out to dry.

Last year, a bipartisan group of Senators recognized the dire situation that was facing our Nation's farmers and ranchers. We introduced the Emergency Agricultural Disaster Assistance Act of 2006. That bill would provide $3.9 billion in emergency disaster assistance for farmers and ranchers who suffered losses due to natural disasters. This was an excellent piece of legislation which could have only been written by a consensus, hard work, and a bipartisan approach. We are all extremely proud that the Senate included both provisions in the emergency supplemental but in part because it included this assistance for farmers and ranchers. And there was a Presidential veto that came on the bill we passed out of the Senate. Because these provisions were stripped from the supplemental bill, our rural communities will suffer an unnecessary wrong.

I stand with the farmers and ranchers of rural America today because I recognize that this problem we face today in rural America will not go away. It will not simply disappear when the Senate

stands adjourned until the final vote on this emergency supplemental.

As I travel across Colorado, I hear from farmers and ranchers who have been consistently hit by disaster emergency after disaster emergency. With the rising cost of fuel and other interest costs, this problem can and will only get worse.

The 2005 winter wheat crop in Colorado was the fifth below-average crop in 6 years, with potential losses for producers of $50 million in my State alone in 2005. Corn producers are reporting that their crops will be 20 percent below average. Sugar beet growers in my State of Colorado will see a decline of almost 50 percent. Farm fuel has increased 79 percent from where it was in September of 2004. It cost $2.60 a gallon in September 2005. It was $1.40 in December 2004, and we expect it will probably be higher this September of 2006. One of my constituents, a farmer in Kit Carson County, a very rural and very remote place in the eastern plains of Colorado, estimated that he will need an additional $46,000 to cover the increased cost of fuel alone this year.

I have often heard here on this Senate floor that rural America is ''the forgotten America.'' I very much agree with that characterization of rural America. The conference committee, faced with the looming threat of a Presidential veto and pushed by House leadership which is out of touch with rural constituencies, abandoned this opportunity for a renewed commitment to rural America.

I will join with my colleagues, both Democrats and Republicans, in making sure we do not abandon rural America. I will continue to stand with the hard-working folks of rural America and with my colleagues who understand the hardships that are faced in more than 50 percent of the counties of our great State.

The drought in my State of Colorado has not miraculously ended in 2006. It continues. Flooding and other natural disasters are still affecting producers across the country. Therefore, my colleagues and I will be back, and again we will push for agricultural disaster assistance to ensure that our farmers and ranchers in rural communities have a real voice here in Washington, DC.

I am also deeply disappointed that a small but very important amendment I authored—an amendment that was accepted by the Senate—was stripped in conference. That provision would have increased the funds available to deal with the wildfire season which is upon us right now and particularly to address the hazards presented by the massive infestation of beetles that has turned vast swaths of our forests into swaths of dry fuel for wildfires.

There was never any doubt in my mind or in the minds of the people of the West that this was, in fact, an emergency situation we face. There was never any doubt that these resources were needed—and they are needed at this time.

Try to imagine how painful it is for communities to brace themselves for the worst when they have approved mitigation plans that are simply sitting on the shelf just waiting for resources so they can be implemented and wood fuel can be safely removed. We had an opportunity to help ease this pain and to do it in this supplemental. Now that opportunity has passed us by.

I was heartened when my Senate colleagues joined in support of the amendment, just as I am so disappointed that it is not finally included in the conference report before us. When across our State the fires start burning during this summer, I will again remind my colleagues that we had a chance to avert this disaster and to address this emergency we know exists, and again we were not able to do so. But on this point, too, I will not give up. I do not believe our Senate should give up. We should keep fighting to address the urgent threat and the underlying causes of the tremendously dangerous wildfire situation in which Colorado communities and communities across America find themselves. That truly is a disaster emergency we face.

Finally, I regret that almost $650 million in funding for important port security programs included in the Senate-passed version was left out of this conference report. Those funds would have been used to pay for new imaging machines to allow inspectors to look inside cargo containers as they arrive in American ports, to add Customs inspectors at dozens of foreign ports, and to place more U.S. Coast Guard inspectors at foreign and domestic ports. These should be high priorities, especially given the bipartisan concern about foreign ownership of U.S. ports and the fact that port inspectors currently check less than 5 percent—that is less than 5 percent—of the more than 11 million containers that enter American ports every year. As a cosponsor of the Greenlane Maritime Cargo Act, a bipartisan bill to shore up our port security system, I regret the action that has been produced by this conference report, stripping it of the $650 million we included in the bill for port security.

In conclusion, I will vote for the emergency supplemental because it is before the Senate and we must make sure we are reconstructing the gulf coast and supporting our men and women in uniform. However, the supplemental emergency conference report is flawed because it does not do what it should be doing for farmers and ranchers who have been dealing with disaster emergencies, and it does not take care of the looming fire emergency we will face across America over the summer months.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, we are happy to have an indication of support for the conference report from the distinguished Senator from Colorado.

I, too, join him in regretting we could not do more for the agricultural producers who sustained setbacks all around the country because of unfortunate weather conditions and other problems earlier this year.

We had, as the Senate remembers, an amendment in the markup of this bill in this Senate Committee on Appropriations adding about $4 billion for a wide range of needs in the agricultural sector. I regret, too, we were not able to sustain that provision in negotiations with the House counterparts on the Committee on Appropriations.

We did have difficulty in expanding the provisions beyond the narrow request the President made for funding for the Departments of Defense and State to continue to wage a successful war against terror and to provide needed assistance in the gulf region for further recovery efforts and rebuilding efforts as a result of Hurricane Katrina. Those were the limitations.

The President had threatened to veto the bill if it contained any more than had been requested by the administration for urgent supplemental funding. We were over the barrel, as they say. In negotiations with the House, this is the best we could do.

The conference agreement is the result of a lot of hard work and compromise, as well, between the House and the Senate. The bill provides critically needed funding to our troops and helps continue the recovery as a result of the damages sustained in Hurricane Katrina. The funding level meets the requests of the administration. We will look at the other needs in agriculture and other areas in the regular fiscal year 2007 funding cycle.

We are having hearings now throughout our Committee on Appropriations and the subcommittees that have jurisdiction over these different areas of responsibilities. I am assured we are going to do our best to continue to meet the needs of production agriculture around the country. It is a vital industry. It is the most important industry in my State, surely. More people are involved in agriculture and in processing agricultural commodities than any other economic activity.

I share the Senator's concerns and assure him we will work to identify the needs in his State and around the country as we go through the appropriations process during this next fiscal year. I thank the Senator for his comments.

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. COCHRAN. 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. COCHRAN. Mr. President, I ask unanimous consent that the Senate resume consideration of the pending conference report on Wednesday immediately following morning business. I further ask consent that there be 25 minutes of debate controlled by the chairman and 75 minutes controlled by the ranking member. I further ask consent that following the use or yielding back of time, the conference report be set aside, and further that at 10 o'clock a.m. on Thursday, June 15, the Senate proceed to a vote on the adoption of the conference report to accompany H.R. 4939, the emergency supplemental appropriations bill, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that 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.

TRIBUTE TO SENATOR ROBERT BYRD

Mr. REED. Mr. President, on Monday, Senator ROBERT BYRD of West Virginia reached an extraordinary milestone: 17,327 days in the United States Senate, almost 48 years. He has cast over 17,000 rollcall votes. His congressional career has spanned the tenure of 10 Presidents, beginning with President Dwight David Eisenhower. In West Virginia, he has run 14 times and never lost.

He has served for over 60 years in both the House and the Senate and other public service. This year he is running for his unprecedented ninth term as a United States Senator from West Virginia. Suffice it to say, he is the longest serving Senator in the history of West Virginia, as he is in the history of the United States. He is the only person in West Virginia to carry every county in the State, all 55. He has run unopposed for the Senate because of the regard, the respect, and, indeed, the affection of the people of West Virginia.

He is 88 years old. He is not slowing down, he has never slowed down, and he will keep it up. As a Member of the Senate, he has been a leader—Democratic whip, majority and minority leader, chairman of the Appropriations Committee, and President pro tempore of the Senate on two occasions.

In everything he has done, he has been a champion of the Constitution and the people of West Virginia. He secured billions of dollars in funding for his home State, and he has been a leader on mine safety and other issues that are so closely tied to his constituents.

In May 2001, Senator BYRD was given the award that everyone recognizes is his due. Gov. Bob Wise and both houses of the West Virginia General Assembly named him ''West Virginian of the 20th Century,'' and he is striving now for the 21st century.

He is an individual who is a self-made man, starting off in war industries in a shipyard, and earning his law degree cum laude from American University while a Member of the United States Congress. He is also someone who recognizes the need for education of others. He created the Robert C. Byrd National Honors Scholarship. This scholarship provides opportunities for young Americans to pursue education as he has pursued his education.

He is a historian—a historian of this Senate and the Roman Senate. In fact, his 3,000-page ''History of the United States Senate'' is the premier history of this August body. He is a defender, a supporter, and, in some cases, the living embodiment of the United States Constitution. He carries it with him everywhere and every time. He is someone who not only talks about the Constitution, but on the floor of this Senate and in this country defends it each day.

He is an individual of great prominence. He is an individual of great humanity.

There is only one fact, I think, that is dimming this very special occasion for the Senator, and that is, it is not being shared by his beloved wife Erma Ora Byrd. But she is looking on this day with the same satisfaction, the same sense of accomplishment.

It is only fitting to close with a quote from Senator BYRD because I can in no way match his oratorical skills. In September 1998, he addressed the history of the Senate and he said:

> Clio being my favorite muse, let me begin this evening with a look backward over the well-traveled roads of history. History always turns our faces backward, and this is as it should be, so that we might be better informed and prepare to exercise wisdom in dealing with future events.

His grasp of the past has given him a wise and insightful view of the future. He has always encouraged us to learn our history and then practice our history to shape the future of this country in this Hall of the Senate.

He has stood tall on so many occasions, but most notably I think was in October 2002. With an iron will and articulate voice, he questioned the policy of this Government as we entered this fight in Iraq.

History, I think, will record his wisdom, his decency, and his contribution to the country. Although I am a day late, I hope I am not a dollar short.

Congratulations to Senator BYRD on his model accomplishment.

Mr. NELSON of Florida. Mr. President, I join our colleagues in the accolades and commendation for our colleague, the senior Senator from West Virginia. I believe there is no other Senator who commands the respect and the admiration and the love of fellow Senators as does Senator BYRD.

My first encounter with Senator BYRD, I will never forget. Right over there at that desk, 5½ years ago, I rose to make my maiden speech in the Senate. In the course of that speech to a fairly empty Chamber of the Senate, I happened to mention that it was my maiden speech. In a few moments, suddenly the doors of the Senate flung open and in strode Senator BYRD. He sat down at his desk and listened very politely and patiently as I continued my first oration in this tremendous, most deliberative body. As I finished, Senator BYRD stood and said, ''Would the Senator from Florida yield?'' I said, of course, ''I yield to the distinguished Senator from West Virginia.'' He proceeded to give a history of the Senate about maiden speeches. He told how, in the old days, when word would get out that a new Senator was going to give his first speech, all of the other Senators would gather around because they wanted to hear what the new Senator was saying. Of course, you can imagine what an impression this made on this new Senator 5½ years ago by not only the conscience of the Senate but the historian of the Senate, the keeper of the rules of the Senate, the distinguished Senator from West Virginia. And, of course, he passed a milestone yesterday. All of us are proud for him, and we are exceptionally proud for this institution, that it would have a Senator such as the distinguished senior Senator from West Virginia.

I want the Senate to know that this Senator is very privileged that he has had the opportunity not only to call him a friend and colleague but that this Senator has had the opportunity to sit at his knee and try to soak up the wisdom of the years, the exceptional historical knowledge of this institution and the extraordinary knowledge of history of planet Earth that the Senator brings to this Chamber.

Mr. LAUTENBERG. Mr. President, I rise to talk about a significant event that took place yesterday in the U.S. Senate, and that is the fact that we have now a new longest serving U.S. Senator in the history of our country. Senator BYRD nears the end of his eighth term here in the Senate but holding more than just another significant record. His contribution to our country has been almost beyond compare. He already holds Senate records for the most leadership positions held and for the most rollcall votes cast, over 17,600 and still counting.

Starting in 1946, Senator BYRD has run in 14 elections for the West Virginia House of Delegates, the State Senate, the U.S. House of Representatives, and the U.S. Senate. He inspires the envy of all of us because he has won all of these races, and I have no doubt that voters in West Virginia will reelect him to a ninth Senate term this fall. That is going to enable him in December of 2009 to pass the record that Carl Hayden has as the longest serving Member of Congress in United States history. But BOB BYRD is not here

merely to set and break records. He is here to serve the people of West Virginia and all Americans, and he has done so admirably.

Senator BYRD is a testament to the values of hard work and perseverance. Almost from the start, he has had a hard life, but he has triumphed. His mother died from the 1918 flu pandemic, when Senator BYRD was just an infant. His aunt and uncle raised him in the hardscrabble coalfields of West Virginia during the Great Depression. He was the valedictorian of his high school class, but he couldn't afford to go to college. After high school, Senator BYRD went to work. He pumped gas, sold produce, became a meat cutter and welder. During World War II, he helped to build Liberty and Victory ships in the Baltimore and Tampa shipyards.

Following the war, he began his career as an elected official, winning a seat in the House of Delegates in West Virginia. In 1952, he was elected to the first of three terms in the U.S. House of Representatives. In 1958, he was elected to the U.S. Senate. In his races since then, he has carried all 55 of West Virginia's counties. In the year 2000, he won all but seven of West Virginia's 1,970 precincts. What a record. It is hard to find one that compares in any way to the allegiance that he has had from the constituents in West Virginia who not only send him back here but love him as their representative at the same time.

It just wasn't winning elections. Senator BYRD could have rested on his laurels, but that is not his style. His life and career have been a relentless pursuit of self-improvement. In 1963, after 10 years of taking classes at night, Senator BYRD earned his law degree cum laude from American University. He didn't have to do that because he wasn't going to become a lawyer, but he thought it would make him a better person and a better Senator.

Senator BYRD is a great example to all of us, but he is especially interesting for America's young people for three reasons. First, he is truly a self-made man. Nothing has been handed to him. He has earned it all. He knows what it is like to be poor, and he knows what it is like to do hard manual labor. That is why he has always been the working man's champion.

Second, he is always striving to learn more and do more. No other Senator can match his extensive knowledge on so many subjects or can recite so many passages from the Bible or from Roman history or from Shakespeare and other playwrights and poets. Senator BYRD isn't content merely to memorize what others have written. He literally wrote the book on the history of the U.S. Senate. No one can match his knowledge of Senate rules, precedents, and parliamentary procedure.

Finally, Senator BYRD is a shining example to all of us because of his steadfast commitment to principle, especially with regard to the role of a U.S. Senator. He has never wavered in his defense of our institution. All Americans are deeply indebted to him for that dedication and loyalty. At a time when the current administration is intent on usurping powers that the Founding Fathers reserved for Congress, we need Senator BYRD more than ever, his reminders to all of us about what is appropriate in terms of obeying the rules and the procedures we have adopted, but more importantly, the honor that this institution has developed over more than 200 years.

Senator BYRD has demonstrated that fearlessly standing on principle, even when it is unpopular, is the key to a successful political career and in life generally. His concern for his State and his constituents, and his ability to deliver for them, are legendary. But above all, Senator BYRD has stood up for the Constitution. He is what we refer to as a Senator's Senator. We are truly fortunate to have him here, and we are truly privileged to serve with him. He is also a wonderful colleague. He never forgets a birthday or other important occasion, never fails to remind us of the beauty of the seasons.

Yesterday his service here in the Senate reached 17,327 days, a record for which he can be appropriately proud. I know that day was bittersweet because it also marked the birthday of his beloved wife, Erma Ora James, his high school sweetheart, and a coal miner's daughter. We were all so sad when Erma passed away this past March, just 2 months shy of their 69th wedding anniversary. Their love for each other, their respect for each other, was an inspiration to every one of us.

Senator BYRD's record-setting day yesterday was tinged with some sorrow and reflection, but I hope he can take comfort in knowing that so many people here in the Senate and all across America hold him in such high regard.

I would like to borrow a page from Senator BYRD by quoting Shakespeare, who in ''Twelfth Night'' wrote:

> Some are born great, some achieve greatness, and some have greatness thrust upon them.

Senator BYRD has achieved greatness in the U.S. Senate. He achieved it through his tireless service to the people of West Virginia and his fearless defense of the Constitution of the United States of America. The Senate and the Nation are far better for his efforts. We wish him well, a continued ability to serve, and look forward to hearing from him when he talks about subjects that are so familiar to him and yet are so far removed from the typical daily thought that we run into.

Senator BYRD, when I first came here, invited me into his office. He delivered a treatise on the former rulers of Great Britain, the Kings of England. From memory, he recalled the length of their term, how they died, who succeeded each and every one of them. I sat there feeling like I was back in the university or even earlier than that, because he had this incredible and has this incredible memory of so many things, and he can relate them wonderfully.

I come out of the computer business. Until I got here and got to know BOB BYRD, I didn't realize that there is someone who has the knowledge, the database, the information that is very difficult to find in other than very large capacity computers.

Mrs. MURRAY. Mr. President, I do want to talk for a minute about Senator BYRD and recognize he has set a record in the Senate, as many of my colleagues have noted on the floor.

He marked his 17,327th day in office yesterday and became the longest serving Senator in history. That is truly a remarkable accomplishment, and I personally have many fond memories of working with Senator BYRD and look forward to many more.

I remember well when I came here as a freshman Senator 13½ years ago. Senator BYRD at the time brought in all of us freshmen Senators to sit across from him in his very important office and looked down at us and told us that we would be presiding, as is the Presiding Officer today, and told us about our responsibilities and made it very clear he would be watching from his office, and if we were reading any other material or talking to anyone it would be noted.

I certainly did remember that during the many hours I spent in the Presiding Officer's chair because I knew he was watching. But I think it was a simple reminder to all of us as to the importance of the office we hold here and the respect we have to have for our colleagues.

I remember as well that he invited me to lunch several months later with the Senator from Oregon, Mr. Hatfield, a Republican, to sit down and talk with me about the responsibilities I had as a Senator. And I was so impressed sitting in the room with Senator BYRD and Senator Hatfield, never in my life expecting to have that kind of opportunity. And at that meeting they impressed upon me the importance of working across the aisle and respect for the minority and how important everybody's voice is here. It was an important lesson and one I think we all should be reminded of more often.

But just that simple act of inviting me to lunch with two incredible leaders in the Senate is a memory I hold dear, and I thank my colleague for doing that.

But, frankly, I think what I most will remember Senator BYRD for—and is a good reminder to all of us, too—is several years ago when my husband came out here to Washington, DC—he lives in Washington State. I go home every weekend. But he came out here because it was our wedding anniversary, and instead of me having to fly home, he flew out here. He was coming up the steps of the Capitol, and I met him as Senator BYRD was walking out to his car.

Senator BYRD saw my husband, and he said: Welcome. Nice to have you

here at this end of the country. What brings you here?

And my husband said: Well, it is our wedding anniversary.

And Senator BYRD, who, as we well know, lost his beloved wife just a few short weeks ago, was about to celebrate I think it was his 67th wedding anniversary. He looked at my husband and said: Which anniversary is this?

And my husband said: It is our 32nd.

Senator BYRD paused and said: Well, it is a good start.

I think the message of that is important for all of us in our everyday lives, in our responsibilities as spouses, and as Senators, to remember it is a good start every day, and you can't rest on your laurels and think back: Well, we have done this for 32 years. The next 32 will be easy. Every day you have to come out and work hard at whatever role you are in at the time.

I certainly say to my good friend, Senator BYRD, how much I respect him and admire him. And today, as he marks his 17,328th day in office, I say to him: It is a good start.

Mr. KOHL. Mr. President, I rise to pay tribute to Senator BYRD, a man I am honored to call colleague and friend.

Senator BYRD is a hero and a patriot—as noble and eloquent as the great Senators—from Cicero to Richard B. Russell—of whom he has taught us all so much. He is a living example of the great opportunity in America. He is a living tribute to the preeminence of our constitutional democracy.

Senator BYRD lives to serve the people of West Virginia who sent him here, just as he would die to protect the Constitution that guides his every step. It is his duty and joy to use his prodigious legislative skill for West Virginia, and it is West Virginians' great fortune to be represented by a man who knows and does his job so well.

Several years ago, Senator BYRD turned one of my worst days in the Senate into one of my best. It was the end of session, late in the evening, and I had lost a fierce battle over dairy policy. Most Senators were wandering out to make their planes, and Senator BYRD stood up. In ringing tones, he made a short speech about the battle I just lost. In part, he said: ''He has stood up for the people of Wisconsin. That is what I like about him. He stands for principle. He stands for his people.''

No kinder words have been spoken about me in this Chamber—no accolade of which I am more proud. Senator BYRD, you too stand for principle. You stand for your people. And that's what I like about you.

I am not an orator like Senator BYRD, and I certainly don't have the words to say what his friendship has meant to me and what his stewardship has meant to this country. Let me instead borrow the words of Henry Wadsworth Longfellow, a poet Senator BYRD quotes often here on the floor and often from memory. I'm sure he knows this one, too:

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time

Senator BYRD is a great man. His dedication to duty, his love of country, and his devotion to his family are examples to us all. He leaves footprints in the very soil of this Nation that have and will continue to shape—for the better—who we are. I am grateful for his friendship and honored to serve with him.

Mrs. BOXER. Mr. President, I rise to add my voice to the chorus of praise for an extraordinary member of this institution—my dear friend from West Virginia, Senator ROBERT BYRD.

What a pleasure it has been to serve with Senator BYRD.

I am constantly inspired by his grace—his brilliance—and his unmatched work ethic.

Today we honor Senator BYRD for reaching the milestone of longest-serving Senator in history—8 terms—48 years—and 17,666 votes.

These are stunning numbers, but this legend is much more than the Cal Ripken, Jr., of the Senate.

Longevity is only part of the story. We know him best for his intellect, his devotion to the people of West Virginia, and his reverence for the institution of the Senate; for keeping a copy of the Constitution in his breast pocket—next to his heart—at all times, not for symbolism but for constant counsel, for having served beside 11 Presidents—both Democrat and Republican; for standing with them when their cause is just—yet never backing down from a fight with any President when he believes important principles are at stake, particularly when our role as a coequal branch of government is threatened.

And that is what I admire most about Senator BYRD: He always stands on principle and fights for what he believes, no matter what the odds.

What an inspiration this has been to me and to so many of us.

What an inspiration—his love of this country, his integrity, his absolute dedication to honest and principled government.

And what an inspiration—his 68-year partnership with his wife Erma—whom I know he misses dearly—and whom I know is looking down on him today with tremendous pride and love.

And it is for these reasons—far more than for his longevity—that we honor him today.

But anyone who knows Senator BYRD realizes that these words of praise are not sought because, despite his well-earned title of Senate Historian—Senator BYRD is not one to dwell on the past. He is a forward thinker.

For him, this special day is really just another day at the office.

Because as ROBERT BYRD knows best of all—there are crucial issues to debate. Problems to solve. And many more votes to be cast.

Mr. OBAMA. Mr. President, I rise today to honor my friend and colleague ROBERT BYRD, who yesterday officially became the longest serving Member in the history of the Senate.

As of June 12, 2006, Senator BYRD had officially served West Virginia in the Senate for 17,327 days. That is an astounding 47½ years since he took office on January 3, 1959. It was a time when a postage stamp cost $0.04, gasoline was $0.25 per gallon, and you could buy a brand new Ford car for a little over $2,100.

Senator BYRD has served through 10 Presidencies, statehood for Alaska and Hawaii, wartime and peacetime, surplus and deficit, the dawn of space travel and the advent of the Information Age. And, as I stand here today, I have to chuckle at the fact that when I was just beginning the first grade, Senator BYRD was already serving his second term in the Senate.

However, the indelible mark he has left on this institution has more to do with the quality of his service than the length of his service. Senator BYRD has a deep love for his beloved home state of West Virginia, for the institution of the U.S. Senate, and for our country. Always ready with a copy of the Constitution in his pocket, Senator BYRD understands just how sacred this document truly is, and he fights every day to protect it.

He literally wrote the book on the rules and traditions of the Senate, and he teaches by example, offering the kind of eloquent, principled debate that has historically filled this Chamber. His speeches are honest and heartfelt, with a Shakespearean rhythm, peppered with stories from his boyhood in the coalfields of Appalachia. He is never shy about scolding colleagues when they put politics before principles or when they violate the practices of this great institution.

And yet he also exemplifies the cordial tradition of the Senate, disagreeing without being disagreeable, and always willing to offer a handshake to a political opponent at the end of hard-fought debate. He is a man of integrity, who has demonstrated that an honest search for truth can lead to a principled change of heart and a desire to seek justice for all.

I know this remarkable accomplishment is a bittersweet one, since Senator BYRD is not able to share it with his beloved wife Erma, who passed away in March. Yesterday, the day on which Senator BYRD set this record, was also Erma's birthday. It is fitting that he marks this milestone on the same day he celebrates Erma's life, because he has often credited Erma's unconditional love and support with sustaining him through his years of service.

When asked last week about achieving this milestone, Senator BYRD replied that ''records are fine, but what's important is what I do for the people of West Virginia.'' That humble devotion to the people he serves is what brought ROBERT BYRD to the Senate more than 47 years ago, and it is what continues to drive him each and every day.

After I was sworn in last January, one of the first Senators I met with was Senator BYRD. We sat down in his hideaway on the first floor of the Capitol. After we posed for a few photographs, I inquired after his wife, who I had heard had taken a turn for the worse, and asked about some of the figures in the many photos that lined the walls. Eventually I asked him what advice he would give me as a new member of the Senate.

''Learn the rules,'' Senator BYRD said. ''Not just the rules but the precedents as well.'' He pointed to a series of thick binders behind him, each one affixed with a hand-written label. ''Not many people bother to learn them these days. Everything is so rushed, so many demands on a Senator's time. But these rules unlock the power of the Senate. They're the keys to the kingdom.''

We spoke about the Senate's past, the Presidents he had known, the bills he had managed. He told me too many Senators today became quickly fixated on reaching the White House, not understanding that in the constitutional design it was the Senate that was supreme, the heart and soul of the Republic.

''So few people read the Constitution today,'' Senator BYRD said, pulling out a pocket copy from his breast pocket. ''I've always said this document and the Holy Bible, they've been all the guidance I need.''

On many occasions over the past year and a half, I have remembered these wise words as I have performed my duties in the Senate.

I am proud to call ROBERT BYRD a colleague, a friend, and a mentor. I congratulate him on this remarkable achievement and wish him all the best for many more years of service to our country.

Mr. LIEBERMAN. Mr. President, I rise to pay tribute to my friend and colleague, Senator ROBERT C. BYRD, who today, on his 17,327th day in office, becomes longest serving Member of the Senate.

As I thought about Senator BYRD's remarkable career, I wondered: What can I say that would properly honor his long labors in service to this Senate and this Nation?

I decided to look back in history, the history that Senator BYRD has quoted time and again, and seek the advice of other Senators known for their oratory. And while many great speakers have blessed the United States Senate over its history, including Senator BYRD, I found wisdom in the advice of the great Roman Senator and orator, Cato the Elder.

He said: ''Rem tene; verba sequentur.'' (rem TEN-ay WHEREba seKENtoor)—''Grasp the subject, the words will follow.''

So I sat back and thought about Senator BYRD, both over his long career that I have read about, and the 18 years I have been privileged to work with him as a colleague.

A lot of thoughts came to mind.

Warm. Courteous. Kind.

Hardworking. Humble. Humorous.

Both well read and an accomplished author well worth reading.

But none of these were quite right. I still hadn't grasped the subject.

Then an image hit me, the image of Senator BYRD reaching into his coat pocket for that copy of the Constitution he always keeps by his heart.

That was it. I knew I had grasped my subject.

Time after time, Senator BYRD has taken this floor to remind us we have duties beyond our parties, beyond our passions, beyond our personal philosophies.

Our overwhelming duty is to our Nation's Constitution and the unique responsibilities it assigns each House of the legislative branch.

In particular, Senator BYRD constantly reminds us that our duty as Senators is to be the more deliberative of the two legislative bodies as the Framers envisioned this Chamber to be. Federalist No. 62 says the Senate should be a body that does not ''yield to the impulse of sudden and violent passions'' or be ''seduced into pernicious resolutions.''

So I thought about the history of this Senate. And I would like to reflect on the very first Senator, William Maclay of Pennsylvania, because his spirit is alive today in Senator BYRD. Senator Maclay became known among his colleagues as a stickler for following the Constitution, which sometimes put him at odds with those same colleagues. He also kept a meticulous diary of the proceedings of that first Senate.

One of the earliest debates in the first Senate was over what to call George Washington. It is hard to imagine now, but there were many back then who thought that ''President of the United States'' was not a fitting title, that something grander was needed.

A Title Committee was appointed in the Senate to consider titles such as, Your Elective Highness, and His Highness, the President of the United States and Protector of the Rights of the Same.

And those were some of the more modest proposals. The Senate also thought about giving special, nobility-style titles to members of the executive branch.

Senator Maclay found this absurd and in violation of the Constitution. He waited for someone else to speak out. But when no one else did, the very first Senator of the very first Senate rose and said:

''Mr. President, the Constitution of the United States has designated our chief magistrate by the appellation of President of the United States of America. This is his title of office. We cannot alter, add to, or diminish it without infringing on the Constitution. As to grades of order or nobility, nothing of the kind can be established by Congress.''

In his diary, Maclay was even more biting about attempts to establish lofty titles because he thought they violated both the letter and the spirit of the Constitution.

He wrote:

''Never will I consent to straining the Constitution, nor will I consent to the exercise of doubtful power. We come here the servants, not the lords, of our constituents.''

Now does that sound like anybody we know?

Looking toward the future, Senator Maclay went on to write:

''The new government, instead of being a powerful machine whose authority would support any measure, needs help . . . and must be supported by the ablest names and most shining characters which we can select.''

I believe everyone here agrees that Senator BYRD embodies the ''shining character'' and dedication to the Constitution that the first Senator of the first Senate thought would be crucial to the new Nation's success.

I also believe Senator BYRD has done so by following the advice of that ancient Roman Senator who he has quoted so often, Cato the Elder. Senator BYRD has truly grasped his subject—the Constitution—and the words have followed for nearly half a century.

I hope his words will continue to enlighten this Senate and this Nation for years to come.

Senator BYRD, thank you.

Mr. BAUCUS. Mr. President, the Book of Proverbs says: ''The silver-haired head is a crown of glory.''

Today, the crown of glory rests upon the silver-haired head of our dear friend and colleague, ROBERT C. BYRD. For yesterday, he became the longest-serving Senator in the history of the Senate.

Senator BYRD has served in the Senate since January 3, 1959. That is longer than there have been 50 States in the Union. That was before Charles de Gaulle was President of France. That was before NASA had astronauts.

Senator BYRD has served as Senator during the terms of 10 Presidents, 9 majority leaders, and 8 Speakers of the House of Representatives.

For 12 years, Senator BYRD served as the leader of Senate Democrats. He served as majority leader, minority leader, and then majority leader again.

Senator BYRD has served as the Senate's historian, elder statesman, and conscience.

Senator BYRD has zealously defended the power of the purse. Senator BYRD has zealously defended the Senate. And Senator BYRD has zealously defended the Constitution of the United States.

But notwithstanding his having held the high rank of Senator for longer than any human being, Senator BYRD has never forgotten whence he came.

Senator ROBERT C. BYRD grew up in the bituminous coalfields of West Virginia, graduated from high school class in the depths of the Great Depression, and worked pumping gas, selling

produce, cutting meat, and welding ships. Even though Senator BYRD reached the zenith of power, Senator BYRD has always remained a man of the people.

Senator ROBERT C. BYRD is an assiduous pursuer of knowledge, a tenacious friend, and a man of deep, abiding faith.

Now Senator BYRD surpasses in length of service the likes of Strom Thurmond, Carl Hayden, John Stennis, Russell Long, and Richard Russell. And now Senator BYRD stands in quality of service with the likes of Daniel Webster, John Calhoun, Henry Clay, Robert La Follette, and Robert Wagner.

I thank almighty God that for more than 47 years, Americans have been able to call him ''Senator.'' I thank God that for more than 27 of those years, I have been blessed to serve here with him. And I thank God that for more than 27 years, I have been blessed to call him ''friend.''

HONORING OUR ARMED FORCES

CAPTAIN DOUGLAS A. DI CENZO

Mr. GREGG. Mr. President, I rise today to pay tribute to U.S. Army CPT Douglas A. DiCenzo, of Plymouth, NH, a brave American who has made the ultimate sacrifice in service to our country.

Douglas, or Doug to his family and friends, graduated from Plymouth Regional High School in 1995. While there, he gave us a glimpse of the characteristics that would later make him a remarkable soldier. He was a scholar-athlete in the truest sense. He exemplified leadership as class president, captain of both the football and wrestling teams, and an all-state offensive guard for the State champion Bobcat football team.

Daniel Webster said, ''God grants liberty only to those who love it, and are always ready to guard and defend it.'' In this spirit, after high school, Doug earned an appointment to the U.S. Military Academy at West Point, NY. Upon graduating with his fellow cadets as a second lieutenant with the Class of 1999, he earned an assignment as an Army infantry officer. Subsequently Doug completed the arduous infantry officer, Army Airborne, and Ranger courses. Next came a tour of duty to Fort Wainwright, AK, 2nd Battalion, 1st Infantry Regiment, beginning as a platoon leader with B Company, Mortar Platoon Leader for Headquarters and Headquarters Company, executive officer for C Company and then battalion maintenance officer. Then, in July 2004, Doug was assigned to Headquarters, V Corp in Germany and a year later was assigned to command the 150 soldiers of C Company, 2nd Battalion, 6th Infantry Regiment 2nd Brigade, 1st Armored Division, based in Baumholder, Germany.

In November 2005, he deployed with his unit to Kuwait, and then Iraq, in support of Operation Iraqi Freedom. Tragically, on May 25, 2006, this brave soldier, along with a comrade from his unit, was killed during combat operations in Baghdad, Iraq, when an improvised explosive device detonated near his military vehicle. Captain DiCenzo's awards and decorations include the Bronze Star, Purple Heart, Army Commendation Medal with two Oak Leaf Clusters, Army Achievement Medal with three Oak Leaf Clusters, National Defense Service Medal, Iraq Campaign Medal, Global War on Terrorism Medal, Army Service Medal, Overseas Service Ribbon, Combat Infantry Badge, Expert Infantryman Badge, Parachutist Badge, Ranger Tab, Army Presidential Unit Citation, and Army Valorous Unit Award.

Patriots from the State of New Hampshire have served our nation with honor and distinction from Bunker Hill to Baghdad—and U.S. Army CPT Douglas A. DiCenzo served in that fine tradition. Captain DiCenzo was a well-respected and natural leader who exemplified the principles of the U.S. Military Academy at West Point—duty, honor, country. This optimistic, passionate, and patriotic American demonstrated the virtues extolled in the Cadet Prayer, ''Encourage us in our endeavor to live above the common level of life. Make us to choose the harder right instead of the easier wrong, and never to be content with a half truth when the whole can be won. Endow us with courage that is born of loyalty to all that is noble and worthy, that scorns to compromise with vice and injustice and knows no fear when truth and right are in jeopardy.'' CPT Douglas DiCenzo was dedicated to serving his country in these chaotic and violent times because he thought it was his duty to do this.

My heartfelt sympathy, condolences, and prayers go out to Doug's wife Nicole and their 18-month-old son Dakin, as well as to Doug's parents, Larry and Cathy, his brother Daniel, and his family and friends who have suffered this grievous loss. The death of Doug, only 30 years old, on a battlefield far from New Hampshire is also a great loss for our State, our Nation, and the world. Although he will be sorely missed by all, his family and friends may sense some comfort in knowing that because of his devotion, leadership, sense of duty, and selfless dedication, the safety and liberty of each and every American is more secure. May God bless CPT Douglas A. DiCenzo.

PRIVATE BENJAMIN J. SLAVEN

Mr. HAGEL. Mr. President, I wish to express my sympathy over the loss of U.S. Army PVT Benjamin J. Slaven from Nebraska. Private Slaven died when an improvised explosive device detonated near his vehicle while on patrol in Ad Diwaniyah, Iraq on June 9. He was 22 years old.

Private Slaven grew up in Plymouth, NE and received his high school equivalency diploma from Southeast Community College in 2005. He was deployed to Iraq in March after serving in the U.S. Army Reserves. Before being deployed, Private Slaven worked with developmentally disabled young adults at the Beatrice State Development Center in Beatrice, NE. He was a member of Detachment 1, 308th Transportation Company based in Lincoln, NE. Private Slaven will be remembered as a loyal soldier who had a strong sense of duty, honor, and love of country. Thousands of brave Americans like Private Slaven are currently serving in Iraq.

Private Slaven is survived by his mother, Judy Huenink of Plymouth, NE; father, Bruce Slaven of Beatrice, NE; and sister, Misti Slaven. Judy and Bruce both served in the Air Force, and Misti is training to be a medical lab technician in the Army Reserve at Fort Bliss, TX. Our thoughts and prayers are with them at this difficult time. America is proud of Private Slaven's heroic service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring PVT Benjamin J. Slaven.

LANCE CORPORAL BRENT ZOUCHA

Mr. President, I also wish to express my sympathy over the loss of U.S. Marine Corps LCpl Brent Zoucha from Nebraska. Lance Corporal Zoucha died of wounds received while conducting combat operations in Al Anbar province, Iraq on June 9. He was 19 years old.

Lance Corporal Zoucha was a lifelong resident of Clarks, NE and graduated from High Plains Community High School in 2005. In high school, he was a standout athlete, earning second place in the high jump at the 2005 State track meet. He was also named honorable mention to the Omaha World-Herald's all-Nebraska basketball team. Lance Corporal Zoucha enlisted in the Marine Corps while still in high school and served with his brother, CPL Dyrek Zoucha, in the same unit in Iraq. He was a member of the 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA. Lance Corporal Zoucha will be remembered as a loyal soldier who had a strong sense of duty, honor, and love of country. Thousands of brave Americans like Lance Corporal Zoucha are currently serving in Iraq.

Lance Corporal Zoucha is survived by his mother, Rita; brothers, Dyrek and Dominic; and sister, Sherri, of Duncan, NE. Our thoughts and prayers are with them at this difficult time. America is proud of Lance Corporal Zoucha's heroic service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring LCpl Brent Zoucha.

PRIVATE TIM MADISON

Mr. President, I further express my sympathy over the loss of U.S. Army PVT Tim Madison from Nebraska. Private Madison was killed in a training exercise at Fort Carson, CO, on June 8. He was 28 years old.

Private Madison grew up in Bellevue, NE, and graduated from Bellevue East High School in 1997. Private Madison was a loving father of three children and loved being outdoors. He was a member of the Army's 2nd Brigade

Combat Team, Fort Carson, CO. Private Madison will be remembered as a loyal soldier who had a strong sense of duty, honor, and love of country. Thousands of brave Americans like Private Madison are currently serving in the U.S. military.

Private Madison is survived by his wife Melissa; children, Hailee, Jonathan and Michael of Fort Carson, CO; parents, Ken Madison, Sr., a retired Air Force master sergeant, and Nancy Madison; brothers, Kenneth Jr., Anthony, and Richard; and sister, Christina, all of Bellevue, NE. Our thoughts and prayers are with them at this difficult time. America is proud of Private Madison's service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring PVT Tim Madison.

HURRICANE SEASON AND INSURANCE COMPANIES

Mr. NELSON of Florida. Mr. President, I wish to address a topic that is appropriate, since tropical storm Alberto is on the coast of Florida—in the Big Bend area of Florida—right now. Fortunately, Alberto stayed a tropical storm, although there was a moment last night when the National Hurricane Center thought it was going to become a hurricane, which is 74-plus miles an hour.

Isn't it interesting that here we are in early June—normally, hurricanes don't really start brewing up until July, and the severe ones don't start brewing up until August and September. But we see the confluence of two things. We see not only the active hurricane cycles the meteorologists will tell you about, that these are 10- and 15-year cycles and hurricanes will become much more active and much more frequent. When you add that meteorological phenomenon to the fact of global warming where, as the Earth's temperatures rise because of the trapping of the greenhouse gases, the rising of the temperature of the water, the rising of the temperature of the atmosphere—the effect of that is more frequent and more ferocious storms. Whether that global warming is affecting this particular cycle, I know not. But I know that the phenomenon of global warming added to—if we are in a 10- or 15-year meteorological phenomena of hurricane cycles, that can add all the more to the distress, dismay, and tragedy that the Atlantic and the gulf coast of the United States will suffer over the coming number of years.

That brings me to the subject matter: the cost of insurance, particularly homeowners insurance, which is going to—if it hasn't already—become prohibitive for coastal dwellers. It is not just coastal dwellers because the insurance rates are spread in a particular way where the property owner will share in the burden of the cost of insurance no matter whether the homeowner lives on the coast or lives inland. This is exactly what has happened to the gulf coast as a result of Katrina. It is what happened in Florida for the active hurricane year of 2004, in which four hurricanes hit Florida within a 6-week period. As a result, you see insurance rates that are absolutely escalating, with the phenomenon that is now occurring in Florida and Gulf States, including Alabama; Mississippi, the home of the distinguished senior Senator from Mississippi, who is on the floor at the moment; Louisiana; and eventually it will happen to Texas when they get pounded a couple of times—that is, the phenomenon that homeowner insurance rates are going through the roof.

In addition to that, insurance companies—if they have not gone broke—are bailing out; they are canceling policies right and left. Those which are staying are canceling policies, and other insurance companies are canceling all of their homeowners coverage. The bottom line is that this is a tough time for homeowners just to be able to afford financially the cost of what is known as windstorm insurance.

Now, I rise to tell the Senate about a package of bills that has been filed but one in particular that I suggest to the Senate is a way of addressing not only the pleas of our constituents back home, the pleas of insurance companies, the pleas of reinsurance companies, the pleas of insurance regulators, the insurance commissioners of the 50 States, but the pleas particularly of our constituents who are paying the tab. This is the question: Can any one insurance company or any one State withstand the financial losses we anticipate from the megahurricanes of the future? The answer to that is no. That is why they are now turning to the Federal level of government.

May I say that 11 years ago, I was confronted with one of the toughest jobs I have ever had in a lifetime of public service when I was elected the Florida State treasurer, which is also the position of the elected insurance commissioner of Florida. I inherited the chaos in the aftermath of the monster hurricane, Hurricane Andrew, in the early 1990s. It had paralyzed the insurance marketplace of Florida, not only in south Florida where the hurricane hit but the entire State of Florida, because what is happening today happened in the mid-1990s—companies had gone broke, they were fleeing the State of Florida, and those which were staying were canceling policies right and left. Companies were asking the insurance commissioner for rate increases that were being hiked to the Moon. It is the same phenomenon we have today.

I can tell you that we had to make up the solution as we went because that kind of financial impact to the insurance industry and to the people served by that industry had never happened. Andrew was a $16 billion insurance loss storm. That, in today's dollars, is about a $23 billion insurance loss storm. But what really scared the ''bejeebers'' out of the insurance marketplace was the realization that if the hurricane had turned 1 degree to the north and drawn a bead on the Dade County-Broward County line instead of south Dade in Homestead, a relatively unpopulated part of Dade County, if it turned that 1 degree to the north and hit that more populated area, it would have been a $50 billion loss storm, and that would have taken down every insurance company that was doing business in the path of the storm—taken them down financially. It would have drained all of their reserves.

That is the circumstance we have facing the States of the gulf coast as well as the Atlantic coast today because you put a category 4—by the way, remember, by the time Katrina hit Louisiana, it was only a category 3. Look at what it did to the Mississippi coast. If you put a category 4, which is winds up to 145 miles per hour, or a category 5, which is in excess of that, into a concentrated area of high urban density and you have major loss, you will have insurance companies going down the tubes financially.

So what are they doing? They are coming to us. Well, the problem is that the Federal level of government has never dealt with insurance. It was back in the 1930s that the McCarran-Ferguson Act was enacted, which said the regulation of insurance is going to be done by the 50 States. And they are coming to us because of the financial enormity of loss not only to insurance companies but to our respective States as well. And, therefore, what do we do? It is hard to get consensus here because we don't deal in insurance matters, and it is hard to get consensus because the insurance industry is not unified on what to do. Certainly, the reinsurance industry has a different perspective than the insurance industry. The insurance regulators have another perspective.

So, after consulting with my dear friend and senior colleague from Mississippi and with the senior Senator from Louisiana, Ms. LANDRIEU, we have filed a bill modeled after what the State of Florida had to do after the monster mega-hurricane in the nineties, and that was build consensus by forming a prestigious commission representative across the board of all the peoples and organizations that are affected by this enormous question and ask that commission, that emergency national commission—which is exactly what we did in Florida in 1995. We formed what we called then the academic task force headed by presidents of the universities of Florida. They reported back within 3 months.

We took that package to the State legislature. We got the legislature to pass it into law. The law enabled the insurance commissioner then to help the insurance companies restore the marketplace at affordable prices so the people would have available affordable insurance.

So the three of us—Senator COCHRAN, Senator LANDRIEU, this Senator—have filed this bill setting up a national commission under law appointing specific designees that are a broad representation of the industry, of the problem, to come back to the Congress and to the executive branch within 90 days with their recommendation that then we can deliberate the work product thereof to see if we can have some solution as to these dire economic conditions that our people, that our States, and, in fact, private industry are facing as we now face another active hurricane season.

I conclude by saying that we are very happy that the National Association of Insurance Commissioners, that organization that represents all 50 insurance commissioners of our States, plus the District of Columbia, plus the Virgin Islands, plus Puerto Rico, have all come together and unanimously endorsed this concept.

We cannot get consensus here because everybody has a different idea, including the industry, but we can take what happened successfully in Florida and use that model to build consensus so that we will know what to do and then can pass appropriate legislation.

Mr. President, I wanted to share this right as the winds are hitting the State of Florida from the first named storm of this hurricane season, the storm named Alberto.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Florida for his initiative in bringing this issue in this form to the Senate. I am pleased to cosponsor the legislation with him, Senator LANDRIEU, and others who may cosponsor this legislation.

We are reaching out to the industry and to experts in related business activities who have experience, a depth of understanding about this challenge we face to give us the benefit of their advice and their counsel.

There are specific recommendations, if they can come to a consensus, on how Government can more responsively address this critical issue. In our State of Mississippi right now, there are people in limbo trying to decide whether they take on the burden of increased costs of insurance, of chances that they may not get insurance they can afford. So rebuilding is slow. Recovery is slow. Businesses are reluctant to embark upon expansion or remodeling, refurbishing, rebuilding, reconstructing from slabs the businesses they had in the gulf coast region.

This is a real dilemma, and it is an economic challenge that no one State can really overcome using the resources of a State government or a national blue ribbon commission, such as the one brought together by Haley Barbour of Mississippi. Our Governor has reached out to the business community and individuals who have experience who could be of help in recovering from the disaster that hit our State.

This is bigger than one State, bigger than our State's commission that Governor Barbour has appointed and that is working hard and making a big difference and making us believe that we can recover, and we will recover. That is a very important part of this situation and this challenge.

I think this is a very important step to take, and it comes at a time when we have laid before the Senate now a conference report making supplemental appropriations to the Departments of State and Defense for the war on terror, but as far as our current domestic challenges are concerned, $19 billion to help sustain the recovery and rebuilding that is underway, recovering from Hurricanes Katrina and Rita that were so devastating to our gulf coast region.

Mr. President, I commend the Senator.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On June 10, 2006, gay performance artist Kevin Aviance was severely beaten in New York City. According to reports, Aviance was walking home from a local bar when four teens began shouting obscenities and attacked him from behind. During the attack Aviance was kicked and punched while the attackers yelled sexually derogatory slurs at him.

An officer with New York's Hate Crimes Taskforce reported that four men were arrested and charged with a hate crime in connection to 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.

FLORIDA CITRUS-CANKER QUARANTINE

Mr. NELSON of Florida. Mr President, I rise to call on the U.S. Department of Agriculture to reconsider its recent decision to ban Florida's citrus industry from shipping fruit to other citrus-producing States, as this decision could adversely affect a major segment of my State's economy.

Specifically, the Government ban lacks adequate scientific backing and could even harm Florida's ability to trade with other citrus-producing countries.

This industry has long played an important role in my State's economy, and the Government has often been supportive and helpful, including after the past two hurricane seasons that were devastating to the industry and spread canker extensively, making eradication no longer possible.

While the Department of Agriculture has helped the industry recover from the storms and with combating canker in the past, I am hopeful it will do so again in a way that does not cause more harm than good.

WORLD DAY AGAINST CHILD LABOR

Mr. HARKIN. Mr. President, yesterday was the annual commemoration of the International Labor Organization's, ILO, World Day Against Child Labor, the day we set aside to speak out against the fact that millions of children around the globe continue to be trapped in forced and abusive labor, often in extremely hazardous conditions.

The good news, this year, is that child labor is in decline across the globe. According to the recent ILO report, ''The End of Child Labor: Within Reach,'' released on May 4 of this year, between the years 2000 and 2004, the number of child laborers worldwide fell by 11 percent, from 246 million to 218 million. Even better, the number of children and youths aged 5–17 trapped in hazardous work decreased by 26 percent, declining from 171 million in 2000 to 126 million in 2004. Among younger child laborers, the drop was even sharper at 33 percent.

This is remarkable progress in just 4 years' time. And looking to the future, the ILO report cautiously predicts that, ''if the current pace of decline is maintained, and if global efforts to stop child labor continue.'' We have a real opportunity to eliminate child labor in its worst forms within 10 years' time. However, difficult challenges lie ahead, especially in agriculture, where 7 out of 10 child laborers work. I know this firsthand from my work trying to end child labor in the cocoa industry. Child labor is deeply entrenched in cocoa plantations in Ivory Coast and elsewhere. But, with the cooperation of the chocolate industry, we are making progress in fighting it.

Likewise, in the broader fight against child labor, the ILO report verifies that we are on the right track to eliminating abusive and exploitative child labor. The great work of the ILO's International Program on the Elimination of Child Labor, IPEC, really vindicates the confidence I placed in this program early on. I secured the first Federal appropriation for the IPEC program back in 1996, and over the last decade, I have secured a total of more than $323 million for the program. Clearly, that money has made a

real difference in the lives of children. It has given them an opportunity to get an education and to break the cycle of poverty.

In August 2005, I visited Pakistan and spent time at an IPEC program funded by the U.S. Department of Labor to combat child labor in the Pakistani carpet industry. I was able to sit down and talk with young adults who had been laborers in the carpet industry as children but had been removed and given the opportunity to go to school. In Pakistan, the Department of Labor's international child labor program has helped to ensure that 20,000 children between the ages of 10–18 have been removed from hazardous work conditions and provided with either nonformal education or vocational training. I have also visited child labor rehabilitation programs in Brazil, Nepal, and Bangladesh. These visits have showed me the incredibly beneficial impacts that governments can make, but I also realize that industry partnerships are essential to the real eradication of child labor.

Although there has been a tremendous amount of progress in ending child labor, now is not the time to become complacent. Unfortunately, hundreds of millions of children are still forced to work illegally for little or no pay. Economic development alone is not enough, and we must focus on human rights and educational opportunities for those in poverty. Social change must go hand in hand with economic development, which requires workers' and employers' organizations. Our keys to success will be mainstreaming child labor efforts with other human rights and development goals, as well as getting national governments, NGOs, and international organizations all working cooperatively to end child poverty.

We should not think about these children only on June 12 each year. We should think about this last vestige of slavery 365 days a year. I have remained steadfast in my commitment to eliminating abusive and exploitative child labor. It was in 1992 that I first introduced a bill to ban all products made by abusive and exploitative child labor from entering the United States. In my view, we can make significant progress to eliminate this scourge if we all do our part and redouble our efforts. This means that governments must not merely pass laws but enforce them, while also striving to provide quality, free education. Businesses must take responsibility, as well, by not hiring children, and by paying adults livable wages so they can provide for their families. Multilateral institutions must also play a robust role. Together, we can eliminate the worst forms of child labor by 2016.

BROADCAST DECENCY ENFORCEMENT ACT

Mr. THUNE. Mr. President, I rise today in support of the Broadcast Decency Enforcement Act. As an original cosponsor of the bipartisan bill, I strongly support the Senate's recent unanimous action to add real teeth to the broadcast decency laws. The Broadcast Decency Enforcement Act enables the Federal Communications Commission to significantly increase the fines on television and radio broadcasters who violate the FCC decency rules regarding over-the-air public broadcasts. Specifically, this legislation will increase the maximum fine for the broadcast of obscene, indecent, or profane material to $325,000 for each violation, with a cap of $3 million for any single act or failure to act. This is a tenfold increase over the current maximum fine per offense.

The First amendment states, ''Congress shall make no law . . . abridging the freedom of speech, or of the press.'' However, the Supreme Court has determined many times that not all forms of speech are protected. In fact, the Court has deemed fit to regulate such forms of speech as obscenity, defamation, speech that incites violence, speech that is harmful to children, and speech that is broadcasted on radio and television.

Unfortunately, broadcasters have recently started playing fast and loose with the decency guidelines. Some of the infractions have made the headlines, but many others never do. Either way, the broadcasters have a responsibility to America's viewing public, and particularly to America's parents. Their behavior demands a response. Allowing obscene, indecent, or profane material over our unrestricted airways can make the job of raising children in today' s world even tougher than it already might be. Putting in place a fine that means something significant to broadcasters who violate decency regulations will help parents who are trying to surround their young children with good role models and decent behavior.

My parents provided me with a strong value system that I depend on to this day. As a father of two teenage daughters, I am doing my best to make sure my girls understand the difference between right and wrong as they prepare for life on their own. Parents will always have the primary role of instilling values in children, supported by teachers, church leaders, and friends. Decent television will never take the place of good parenting, but if there is a modest action that we can take here in Washington to keep the airwaves a little cleaner, I believe we should take that action. I am proud to support this effort to do just that.

Mr. President, the House has recently passed this same legislation, and I call on the President to sign the bill into law. American families deserve nothing less.

APPRECIATION FOR LARRY Q. NOWELS

Mr. LUGAR. Mr. President, I would like to take this opportunity to extend the appreciation of the Senate to a dedicated public servant at the Congressional Research Service, CRS, of the Library of Congress. Larry Q. Nowels is retiring from CRS after more than 30 years of service to the Congress. This length of public service is not only a credit to Mr. Nowels but also a demonstration of the dedication that the staff of the Congressional Research Service brings in its support of our work in Congress.

Mr. Nowels first joined CRS in 1973 as an information resources assistant, while simultaneously pursuing an advanced degree in international relations at American University. His primary responsibility at CRS was to help in the management of the Foreign Affairs Division library, a task for which he was well prepared, having worked throughout his high school years as a library page in Claremont, CA. In a very short time he was promoted to division librarian, then to technical information specialist, to foreign affairs analyst, and finally to foreign affairs specialist. He served as section head of the International Organizations, Development, and Security Section of the Foreign Affairs and National Defense Division from 1985 to 1997, and for a period in 1992, served as acting assistant chief of the division.

Mr. Nowels' first research assignment at CRS was to assist senior staff in monitoring reporting requirements in the foreign affairs field, a joint committee project begun in 1975 for the Senate Committee on Foreign Relations and House Committee on International Relations. For the next 30 years, Mr. Nowels would assist Congress in tracking, moderating, and understanding the use of reporting requirements in fulfilling its oversight responsibility. In that first year, Mr. Nowels was also involved in the preparation of three other contributions by CRS to the congressional committees dedicated to foreign relations: the Committee on Foreign Relations' biennial Legislative History; the Committee on International Relations' annual Congress and Foreign Policy; and the annual Legislation on Foreign Relations, a joint committee project begun by the 88th Congress and continued to this day as a joint effort of the Congressional Research Service, Committee on Foreign Relations, and Committee on International Relations. Mr. Nowels remained intimately involved with each of these projects for many years and also provided mentorship to a notable succession of CRS staff.

During his career, Mr. Nowels wrote nearly 500 memoranda and reports for Members of Congress and congressional committees, organized numerous seminars, provided many briefings to Members and congressional staff, accompanied congressional delegations abroad, and testified before congressional committees, primarily on issues related to foreign assistance. Over the years, he introduced congressional staff persons, both new to Washington

and those most senior, to the appropriations process through courses in the Graduate Legislative Institute and briefed newly elected Members of Congress at biennial Williamsburg seminars. He provided groundbreaking analysis to the Congress on U.S. aid to Communist nations, implications of the Gramm-Rudman-Hollings deficit reduction on foreign policy, debt forgiveness including heavily indebted poorest country—HIPC—Initiatives, post-Cold War aid, Israeli loan guarantees, numerous congressional-executive efforts at foreign aid reform, international family planning programs, third-country foreign aid programs, establishment of the Millennium Challenge Corporation, and multiyear foreign policy budget trends.

Mr. Nowels attended the National War College at the National Defense University in 1986–1987, where he won an award for his writing. On several occasions he was detailed to committees to serve alongside committee staff. In recent years, he traveled extensively on behalf of the Department of State's Speakers Program to speak to foreign officials, academics, and journalists on the U.S. Congress and U.S. foreign policy.

Mr. Nowels' exemplary contribution and service has been recognized by the Congressional Research Service with numerous special service awards, performance awards, and outstanding performance evaluations. His sustained excellence was acknowledged and honored by the Library of Congress with a Meritorious Service Award in 1992.

Larry Nowels is a fine example of those many dedicated staff of the Congressional Research Service who help inform Congress as it deliberates important public policy issues. His gracious demeanor and considerable expertise on U.S. foreign aid and U.S. foreign policy made him an invaluable asset to Congress for many years. On behalf of my colleagues, I extend our deep appreciation to Larry for his service and wish him the very best in future endeavors.

ADDITIONAL STATEMENTS

TRIBUTE TO VICE ADMIRAL KEITH W. LIPPERT

• Mr. ALLEN. Mr. President, I rise today to honor a lifetime commitment of service to the United States of America, our Defense Department and our great U.S. Navy by a true patriot, VADM Keith W. Lippert, Supply Corps, U.S. Navy. On September 1, 2006, Vice Admiral Lippert will retire after 37 years and 8 months of dedicated and exceptionally distinguished service in the U.S. Navy. In addition to his retirement, Vice Admiral Lippert will relinquish command as the 14th Director of the Defense Logistics Agency, DLA, and I would note that he will retire as our longest serving DLA Director having spent the last 5 years at the helm of a Defense agency that has become increasingly important to the Nation. The Admiral's departure is indeed a loss for our nation since over these last 5 years, he has made remarkable accomplishments and I would highlight a few of them here.

The remarkable success of our military servicemen and women in the field, and the battles won every day by our forces engaged in the global war against terrorism could not be accomplished if not for the unparalleled logistics support our military so critically depends upon. On Admiral Lippert's watch this support has increased to the extent that 95 percent of the materials used by the entire U.S. military is provided by the 22,000 personnel hard at work in DLA activities around the globe and many here in Virginia. I am proud to note that Virginia hosts the DLA Headquarters and the Defense Energy Support Center at Fort Belvoir in Northern Virginia, the Defense Supply Center, Aviation, and Distribution Depot in our State capital of Richmond, and another Distribution Depot right on Virginia's Navy waterfront in Norfolk.

DLA has facilities in 48 States and 24 countries around the world and each facility is a source of pride for all of the DLA employees. All of the fuel supporting our jets, helicopters, ships and tanks is purchased by DLA. All of the food, military clothing, and supplies needed to sustain our forces is managed by the DLA workforce.

The DLA Defense Distribution system, a total of 26 distribution depots here in the United States and in overseas locations such as Kuwait, Korea, Japan, Italy, and Germany are all crucial to the steady flow of materials to our troops and these depots constitute a national treasure in their own right.

Allied forces that have partnered with DLA on Admiral Lippert's watch also enjoy this same support.

Remarkably, Admiral Lippert has aggressively driven down the cost of managing this enterprise to the lowest level in the 45-year history of DLA while dramatically improving the inventory validity of our critical defense stocks, championing a series of transformational initiatives, leading the most successful enterprise resource planning software re-engineering initiative in the entire Defense Department, and greatly improving the quality of customer service provided by this amazing Agency. I would add that the Agency has become equally important to the Coast Guard, FEMA and other Agencies in our Federal, State, and local governments. This support was especially significant to our country after the last hurricane season when millions of Meals Ready to Eat, MREs, were sent en masse from Norfolk to our fellow citizens in need.

Thirty-eight years ago, Vice Admiral Lippert earned his commission through the Navy Reserve Officer Training Corps program at Miami University in Oxford, OH, with a bachelor of arts degree in mathematics in 1968. He received his master's degrees in management and in operations research from the Naval Postgraduate School. In 1994, he attended the senior executive program in national and international security at the John F. Kennedy School of Government, Harvard University.

The admiral has spent a significant time on sea duty tours including service as the supply officer on the nuclear submarine USS *Queenfish*, SSN 651, as assistant supply officer on the Submarine Tender USS *Simon Lake*, AS 33, and as the supply officer on the Submarine Tender USS *Canopus*, AS 34. The admiral has had increasingly important shore duty tours including assignments as assistant comptroller, Commander Submarine Force, U.S. Pacific Fleet, operations research officer at the Navy Ships Parts Control Center, Mechanicsburg, PA; inventory analysis staff, Naval Supply Systems Command, Washington, DC; executive officer, Naval Supply Center, Jacksonville, FL; and director, spares programs and policy branch in the Office of the Deputy Chief of Naval Operations for Logistics.

In 1990, he rejoined the Naval Supply Systems Command as the deputy commander for financial management/comptroller. From July 1993 to July 1995, Admiral Lippert served as the commander, Defense General Supply Center in the great capital of our commonwealth, Richmond. In August 1995, he became the first commander of the Naval Inventory Control Point with offices in Philadelphia, PA, and Mechanicsburg, PA. Admiral Lippert officially entered the Flag Officer Corps when he was awarded the rank of rear admiral, lower half, in November 1995. From 1997 to 1999, he served as the vice commander for the Naval Supply Systems Command and received his promotion to rear admiral, upper half, in October 1998. From 1999 to 2001, he commanded the Naval Supply Systems Command and served as the Navy's 41st chief of Supply Corps. In May of 2000, President Clinton appointed Vice Admiral Lippert to represent the Navy as a member of the President's Committee for Purchase from People who are Blind or Severely Disabled. He assumed his current position as the director of DLA in July of 2001 and received his promotion to vice admiral in September of 2001.

His decorations include the Defense Superior Service Medal, three Legion of Merits, four Meritorious Service Medals, two Navy and Marine Corps Commendation Medals, Navy and Marine Corps Achievement Medal, and Submarine Supply Dolphins. He is also the recipient of the Society of Logistics Engineers 1992 International Award for outstanding performance in financial management/inventory control. Under Admiral Lippert's tenure as Director, DLA received two Joint Meritorious Unit Awards.

In closing I wish to commend Vice Admiral Lippert for his nearly 38 years

of distinguished service to our Nation, protecting our freedoms of life, liberty, and the pursuit of happiness and wish him the best in his future endeavors. His departure is a great loss to our Navy, but we are markedly better for having had him aboard. He leaves us with a Defense agency that is indeed a national treasure and one that has been vastly improved on his watch. I honor this patriot and dedicated public servant, wishing him a fond farewell, fair winds for his sails and following seas.●

HONORING THE LIFE OF JERRY W. LEE

● Mr. BAYH. Mr. President, today I rise to pay tribute to the life of a distinguished civil servant and friend, Jerry W. Lee, who passed away on June 7. Jerry's dedication to the working families of our State kept him involved in public service up until his death, doing his part to help Hoosiers from all walks of life. I know that he will be greatly missed.

Jerry was a good and decent man who dedicated his life to serving others. From his work with organized labor to his involvement in the community, his career was filled with acts of conscientious service on behalf of friends, family members, and Hoosiers across Indiana. The contributions he made touched countless lives, and his presence and straight talk will be sorely missed.

For the past 20 years, Jerry served as secretary-treasurer and business manager of the Laborers' Indiana District Council, standing up for the working men and women of our State. He devoted all of his energy to ensuring good jobs at decent wages for his workers and helping take care of their families. He is survived by his mother; his wife, Benetta Jo Woodruff Lee; his son, Darren Lee; his three daughters, Stephanie Bean, Christina Brown and Connie Phillips; his two brothers, Sammy Joe Lee and Donald Dean Lee; 11 grandchildren; and five great-grandchildren.

A lifelong Hoosier, he was also involved in numerous other labor associations and was a veteran of the U.S. Air Force. It is a rare man who can make such an impact on so many people over the course of one life. Hoosiers will miss Jerry as a friend, a community leader, and an advocate for working Hoosiers.

It is my sad duty to enter the name of Jerry Lee in the official RECORD of the U.S. Senate for his service to the State of Indiana.●

CONGRATULATING NEWPORT POLICE CHIEF MICHAEL CAPRIGLIONE

● Mr. BIDEN. Mr. President, it is with great pleasure that I rise today to commend Police Chief Michael Capriglione of the town of Newport, DE. Chief Capriglione has been recognized by the National Highway Traffic Safety Administration with a Public Service Award for his outstanding dedication to the fight against drunken driving in the State of Delaware.

Chief Capriglione was nominated for this award by the mid-Atlantic office of the NHTSA, which began the Checkpoint Strikeforce Campaign in Delaware in 2001. The Checkpoint Strikeforce Campaign is an initiative that works to decrease the number of impaired driving crashes through increased police presence on the roads and statewide sobriety checkpoints on weekends and during holidays. The campaign has continued to grow since its inception, with increasing numbers of affiliated police agencies and officers joining the program each year. In 2003, county teams were created to pool resources and enhance the efficiency of the campaign in each of Delaware's three counties. Chief Capriglione was named the head of the New Castle County DUI Task Force and has served as the primary law enforcement advocate for the Checkpoint Strikeforce Campaign in Delaware.

The campaign had been highly successful; an increasing number of DUI arrests are made each year, with 685 intoxicated drivers arrested between July and December 2005 alone. This results in safer roads for our citizens to travel: 2004 saw the lowest number of alcohol-related highway deaths ever recorded in the State. The campaign has also expanded from its original half-year scope to become a year-round initiative. Under Chief Capriglione's leadership, the New Castle County DUI Task Force has established checkpoints during major holidays and other events typically associated with higher rates of impaired driving, including Super Bowl Sunday and St. Patrick's Day. During the recent Cinco de Mayo holiday, the county teams conducted checkpoints that resulted in 19 DUI arrests, as well as 7 drug arrests, 8 felony arrests, and the apprehension of 3 wanted individuals.

Chief Michael Capriglione has been instrumental in the development and success of the Checkpoint Strikeforce Campaign in Delaware. Through his exceptional leadership and commitment to public service, Delaware's roadways have become safer and its citizens more secure. He is the embodiment of public service and deserves all of the recognition he has received for his remarkable efforts, and more. We are fortunate to have committed, effective law enforcement professionals such as Chief Capriglione working to combat the problem of drunken driving throughout Delaware and the Nation, and I ask the Senate to join me in thanking Chief Capriglione for his dedicated service.●

TRIBUTE TO LIEUTENANT GENERAL DANIEL JAMES III, USAF

● Mr. BOND. Mr. President, I rise today to honor LTG Daniel James III who recently retired as Director, Air National Guard. To say that General James has had a distinguished career at the National Guard Bureau would be an understatement due to his unmatched success in formulating, developing, and coordinating all policies, plans, and programs affecting more than 106,000 Guard members throughout the United States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.

The general personifies the model commander with a career in the military that spanned almost four decades. He earned his commission as a distinguished graduate of the University of Arizona's ROTC program in 1968. The general is a command pilot with approximately 4,000 hours in fighter and trainer aircraft. A combat veteran with two Distinguished Flying Crosses, General James completed two Active-Duty tours in Southeast Asia, logging 500 combat hours as a forward air controller and F–4 Phantom aircraft commander. Prior to becoming ANG Director, General James was the Adjutant General for Texas National Guard headquarters. In June of 2002, he was appointed to the position as Director, Air National Guard.

In closing, I ask my fellow colleagues to join me in expressing our deep appreciation for the numerous contributions Lieutenant General James has made on behalf of our brave service men and women. It is my honor to recognize the general for his distinguished service to our Nation. Recalling our national anthem, to our veterans and Armed Forces, I say, we would not be ''the land of the free'' if we were not also ''the home of the brave.'' We wish Daniel and his family continued success as he closes out his service to the Air Force and the people of this grateful Nation.●

TRIBUTE TO JACK BANDY

● Mr. ISAKSON. Mr. President, I wish today to honor in the RECORD of the Senate my friend, B. Jackson Bandy, a great Georgian, a great American, and a great citizen of Whitfield County. I honor Jack upon his induction into the Junior Achievement Northwest Georgia Business Hall of Fame.

Junior Achievement was founded in Dalton, GA, in 1964 and sends volunteers from the community into local schools to teach students about business, economics, and personal finance. Each year the local district serves more than 8,900 students in 44 schools, including more than 30 schools in Whitfield and Murray Counties. The district has more than 300 volunteers. Nominees from this community for this award were selected based on business excellence, inspiring leadership, community involvement, and innovation.

In addition, Jack was one of three founders in 1956 of the tufted carpet business Coronet Industries, which was eventually bought by Beaulieu. But Jack is more than just a businessman

and great golfer. He is a family man—a wonderful and devoted father and grandfather. He would do anything for his family and friends and has touched the lives of many who will never be able to meet or thank him.

Jack worked for many years as a volunteer on the Hamilton Healthcare System Board of Trustees in Dalton and is now an honorary trustee. For all of his charitable giving and hard work, the hospital named the ''Bandy Parking Plaza'' in honor of Jack. He is the backbone of his Methodist Church and has worked on the board of the United Way. With his Junior Achievement honor, it is clear that Jack is devoted to educating young people at all levels, but he has also endowed the Bandy Chair in Preaching at Emory University, and the gym at Dalton State College is named for him.

Jack Bandy is a class act who is well loved in work and at home. He is interested in the lives and achievements in others and will be embarrassed that I am honoring him today. But I feel I would be remiss if I did not honor him for his achievements and sacrifices. He has given a great deal of his time and money to make Dalton, the State of Georgia, and our Nation a better place to live.●

100TH ANNIVERSARY OF THE FOUNDING OF CHELSEA, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, I rise today to honor the 100th anniversary of the founding of the town of Chelsea, SD. Chelsea is a rural community in Faulk County. Small towns like Chelsea are part of the backbone of our wonderful State.

Chelsea originally began in the middle of a wheat field, where extensions of the Minneapolis and St. Louis railways met. There are competing stories for how the town was named. One says that Chelsea was named after the borough of London, one that it was named for a landowner in Chelsea, OK, and another that says it was named for someone from Chelsea, MA.

The first building to go up in Chelsea was two-story poolhall and saloon, built by H.E. Batteen. Other businesses soon followed. By 1909, there were 30 businesses in Chelsea, including a post office, weekly paper, bank, butcher, lumber yard, and drug store. There were at least three churches, including the Sacred Heart Catholic Church, which is still active today.

The area in which Chelsea is situated has both fertile farmland and excellent fishing and hunting. In particular, the area is known for its great pheasant shooting and the numerous hunting lodges that dot the landscape around Chelsea.

Small communities such as Chelsea do not always get the attention that they deserve, but it is places like Chelsea that help to maintain South Dakota's agricultural roots and deep-seated character. I am proud to honor Chelsea on its 100th anniversary, and I am confident that the next 100 years will bring still more progress and prosperity.●

125TH ANNIVERSARY OF THE FOUNDING OF ABERDEEN, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, I rise today to recognize the 125th anniversary of the founding of one of South Dakota's great cities, Aberdeen. Aberdeen is the third largest city in the State, and the county seat of Brown County. Aberdeen boasts a robust economy, first-rate hospital, two 4-year universities, art, culture, shopping, and outdoor recreation. Taken all together, Aberdeen has an exceptional quality of life, and things are only getting better for this dynamic city.

Aberdeen was founded in July of 1881 with the arrival of the Milwaukee Railroad and takes its name from the home town of the Milwaukee Railroad's Scottish President, Alexander Mitchell. As more railroads came into the area, Aberdeen became known as the ''Hub City,'' referring to its role as a busy intersection for trainlines. Aberdeen's citizens are justly proud of their city's history, and they have undertaken numerous successful projects designed to preserve and celebrate this heritage. The city's many historic attractions include the Granary Rural Cultural Center, Dacotah Prairie Museum, and J.L. Zeitlow Telephone Pioneer Museum, among others. In addition, Aberdeen is home to and promotes a lively and renowned antique market.

Perhaps Aberdeen's most famous early resident was Lyman ''Frank'' Baum, who would eventually write ''The Wonderful Wizard of Oz.'' During his time in Aberdeen, Baum owned a store, Baum's Bazaar and later edited The Aberdeen Saturday Pioneer. Many believe that Baum's description of Kansas in ''The Wonderful Wizard of Oz ''was based on his time in Aberdeen. Storybook Land, a theme park based on ''The Wonderful Wizard of Oz,'' commemorates Baum. Another nationally known figure from Aberdeen in more recent times is former Senate Majority Leader Tom Daschle.

Other institutions in the Aberdeen area include two 4 year universities, Northern State University and Presentation College; a top flight medical center, Avera St. Luke's Hospital; Wylie Park recreational area; and of course plenty of good hunting and fishing.

Aberdeen combines the warmth and friendliness of a small town with the cosmopolitanism associated with larger communities. I am pleased to recognize the achievements of Aberdeen, and to offer my congratulations to the residents of the city on this historic milestone. As the city motto states, Aberdeen is indeed ''A Great Place to Live.''●

125TH ANNIVERSARY OF THE FOUNDING OF MELLETTE, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I pay tribute to the 125th anniversary of the founding of the city of Mellette, SD.

Mellette was incorporated into South Dakota in 1881, with the first store opening the same year. The community was named after Arthur Mellette, the first governor of South Dakota. By 1882, Mellette was a thriving town with 39 businesses including doctors, lawyers, and other professionals. The Western Enterprise was the first newspaper in Mellette, and by the time publication ended in 1941, the newspaper was the oldest, continuous paper in Spink County.

Today, Mellette is the home of 240 residents, 8 businesses, churches, and other civic organizations. The Mellette Volunteer Fire Department, established in 1895, still keeps residents safe. Northwestern Elementary, Middle, and High Schools also call Mellette home.

I am pleased to announce that Mellette celebrated its 125th anniversary with a community celebration on May 26 to 27. There were numerous events, such as karaoke, a flea market, a parade, an antique tractor pull, a horseshoe tournament, kid's games, and a Harley motorcycle raffle, followed by a community supper. A historical display included ''Old Time'' Mellette videos. The festivities were a fitting celebration to honor a wonderful community.

I am proud to publicly honor Mellette on this memorable occasion. After 125 years, Mellette still exemplifies what it means to be a great South Dakota community.●

125TH ANNIVERSARY OF THE FOUNDING OF GROTON, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I rise to honor the city of Groton, SD, and to recognize the 125th anniversary of its founding.

Groton was founded in 1881 in Brown County. Still standing from those early days is Trinity Episcopal Church which was built in 1884 as a place for the newly formed town to come together and gather as a community. Groton now has six churches and multiple gathering places to house its growing and thriving community.

Groton is home to the Granary Rural Cultural Center. Groton's commitment to fine arts and culture shines through in this establishment where art shows from artists from both North and South Dakota are on display. The Granary Rural Cultural Center not only promotes the arts, but also the heritage of those living in the Dakotas while celebrating and caring for the land.

One of the most notable pieces of Groton's history took place in 1923 when $1,000 was stolen from the First

National Bank, while the tellers were held at gunpoint. During the holdup, one brave citizen ran outside to ring the alarm alerting the authorities of the situation. Fortunately, only minor injuries were inflicted in the ordeal.

Groton will be celebrating its 125th anniversary with a variety of events. Among the festivities will be an all-school reunion, Legion baseball, pancake breakfast, water carnival, bingo, tractor pull, parade, dance, fireworks display, and community church service. The anniversary will serve as an occasion to bring this close-knit community even closer together.

I am proud to publicly recognize Groton and congratulate the community on this achievement. As the people of Groton take this opportunity to appreciate how far the city has come from its beginnings, I know they will understand the important role Groton plays in making South Dakota the great State that it is.●

CENTENNIAL OF THE FOUNDING OF BRENTFORD, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I rise in order to pay tribute to the centennial of the founding of the city of Brentford, SD. The community is distinguished as the only ''Brentford'' in the United States.

Brentford was established in 1906 along the Minneapolis and St. Louis Railroad line and named by a railroad employee for Brentford, England. The town was built in less that a year and reached a peak population of around 300, with a current population around 70.

There are a church, gas station, restaurant, and two construction companies located in Brentford. Additionally, the Brentford Volunteer Fire Department serves Brentford City, Tetonka, and LaPrairie townships, and part of Clifton Township.

I am pleased to announce that Brentford will be celebrating its centennial on June 23 through 25. There are numerous events scheduled, including a parade, performances by Brentford area musicians, fireworks, a paintball tournament, and an antique tractor pull. This celebration is a fitting way to recognize this milestone for this pleasant and progressive community.

One hundred years after its founding, Brentford continues to be a vital community and a great asset to South Dakota. I am proud to honor the achievements of Brentford on this memorable occasion.●

HONORING KENNETH BLACK OF MAINE

● Ms. SNOWE. Mr. President, I wish to commemorate the grand opening of the Maine Discovery Center and dedication of the Chief Warrant Officer Kenneth Black Exhibition Hall in Rockland, ME. This event represents the culmination of a lifetime of exceptional achievement by former Coastguardsman Kenneth Black who nearly single-handedly amassed the largest collection of lighthouse lenses on display in a museum anywhere in the United States.

The monumental efforts of Ken Black, known by many as ''Mr. Lighthouse,'' have been a lifelong pursuit and truly a labor of love. Ken started his first exhibit many years ago at the base of America's first light Station in Boston Harbor. When he was commanding officer of the Rockland Coast Guard Station in the 1970s, he created a display of artifacts at the entryway building at the base of the tower, and a small collection started to grow and take on a life of its own. So much so—that when the admiral in charge of the first Coast Guard district in Boston took note of what Ken was doing, he named him as the official curator of the First Coast Guard District Marine Exhibit. That appointment offered Ken a fortuitous opportunity to begin amassing lighthouse artifacts.

Exemplifying the best of Maine's can-do spirit, Ken meticulously went to great lengths, literally piece by piece, to seek out, collect, and store these maritime marvels. Eventually, this collection would be housed in what would become known as the Shore Village Museum. Lacking pretense of any kind, this unassuming, home-spun dream became a landmark museum and a destination point for maritime and lighthouse enthusiasts everywhere until its closing in 2004.

Because of Ken's persistent pursuit and uncommon initiative, his legacy of work can now be viewed as part of the Maine Lighthouse Museum which has the distinction of being home not just to the world-renown lighthouse lenses but also to one of the most revered exhibits of lighthouse artifacts and Coast Guard memorabilia in the United States. One thing is clear above all else, we owe Ken a great debt of gratitude for having the unrelenting industry, foresight, and diligence to collect, preserve, and showcase these artifacts.

As the sponsor of the Maine Lights Program in the 104th Congress, I am extraordinarily proud of the indispensable contribution Ken has made to the discipline of lighthouse history. As I said in my letter on the opening of the Maine Lighthouse Museum last June, this legislation allowed many outstanding individuals and organizations to share their fondness for lighthouses by working to record the history of lighthouses and keep that history alive. And, indeed, that is precisely what has happened.

Through the tireless and indomitable work of Kenneth Black, for whom this exhibition hall is rightfully named, generations today and to come will have the pleasure of viewing these time-honored artifacts. I saw them firsthand last summer when I toured the museum and was awed and extremely impressed, and I know that this new addition will be equally remarkable. For all of these reasons, I am deeply pleased to honor the astounding contributions that Ken has made toward bringing to greater light these valuable gems of history. I also want to acknowledge and thank the many individuals and groups who have shared in Ken's vision and joined with him in making this dream a reality. The city of Rockland and the State of Maine are incredibly fortunate to have this exceptional Lighthouse Museum in its midst. It is most fitting that the U.S. Coast Guard presented a well-deserved lifetime achievement award to Ken Black for unflagging vigilance and continued perseverance in saving and presenting these lighthouse artifacts.●

TRIBUTE TO R. GERALD DAVIDSON

● Mr. TALENT. Mr. President, I rise today in recognition of a remarkable Missourian. The First Baptist Church of Arnold, MO, has announced the retirement of its longtime and much beloved pastor, R. Gerald Davidson. Dr. Davidson has served as a pastor for the last 50 years, the last thirty of which, he has dedicated to the First Baptist Church of Arnold.

Dr. Gerald Davidson is a visionary leader and has been instrumental in furthering and directing the ministry of the church. Today, the First Baptist Church of Arnold is the third largest church in the Missouri Southern Baptist Convention. Dr. Davidson's personal dedication to the gospel has never faltered, and his own personal example has set the standard for both his church members and Baptist leadership throughout the Nation.

In fact, Dr. Davidson's vision and his good works have reached throughout the world. On numerous mission trips he has preached the gospel in Mexico, Haiti, Jamaica, South Africa, Taiwan, Brazil, Indonesia, Russia, Romania, Belarus, Slovenia, Croatia, Bolivia, India, Turkey, United Arab Emirates, and Kenya.

However, Dr. Davidson's dedication starts at home. He has been married to his wife Verlena Stone Davidson for 51 years. She has been an equal partner in the ministry, serving side by side with her husband. The Davidson's have three children, Doug, Debbie, Darla, and are blessed with 10 grandchildren.

Dr. Davidson's many accomplishments throughout his distinguished career are a result of hard work and dedication. The Arnold community joins me in appreciating Dr. Davidson's dedicated service.●

CENTENNIAL CELEBRATION FOR MURDO, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I rise to recognize my hometown of Murdo, SD, which is celebrating its centennial this year.

Located in Jones County, the town of Murdo was established in 1906 when a lot sale was held to distribute the land that originally belonged to cattle

rancher Murdo Mackenzie. Today, Murdo is a thriving town that I am proud to call home. It is a welcoming community that reflects the values and principles we as Americans hold dear.

It gives me great pleasure to rise with my fellow citizens of Murdo in celebrating our centennial and looking forward to a bright future.●

MESSAGES FROM THE HOUSE

At 12:06 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3967. An act 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.R. 4013. An act to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah.

H.R. 4162. An act to provide for an exchange of lands between the Secretary of Agriculture and the United Water Conservation District of California to eliminate certain private inholdings in the Los Padres National Forest, and for other purposes.

H.R. 5169. An act 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''.

The message also announced that the House has passed the following bill, without amendment:

S. 1445. An act to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the ''William H. Emery Post Office''.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 338. Concurrent resolution expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere.

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress with respect to honoring the goals and ideals of Alex's Lemonade Stand Days, June 9 through 11, 2006.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

At 5:55 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 409. Concurrent resolution commemorating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4013. An act to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah; to the Committee on Energy and Natural Resources.

H.R. 4162. An act to provide for an exchange of lands between the Secretary of Agriculture and the United Water Conservation District of California to eliminate certain private inholdings in the Los Padres National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5169. An act 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 Homeland Security and Governmental Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 338. Concurrent resolution expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere; to the Committee on Foreign Relations.

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress with respect to honoring the goals and ideals of Alex's Lemonade Stand Days, June 9 through 11, 2006; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3967. An act 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.

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–7075. A communication from the Secretary of Transportation , transmitting, pursuant to law, a report entitled ''Report to Congress on Catastrophic Hurricane Evacuation Plan Evaluation''; to the Committee on Commerce, Science, and Transportation.

EC–7076. A communication from the Administrator, Department of Transportation, transmitting, pursuant to law, a report entitled ''Pilot Programs for Emergency Notification Systems at Highway-Rail Grade Crossings''; to the Committee on Commerce, Science, and Transportation.

EC–7077. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of the Administration's intent to award a contract to Trinity Technology Group for screening services at Tupelo Regional Airport in Tupelo, Mississippi; to the Committee on Commerce, Science, and Transportation.

EC–7078. A communication from the Assistant Secretary, Legislative and Intergovernmental Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Report on Analyzing Potential Vessel Routing Measures for Reducing Vessel (Ship) Strikes of North Atlantic Right Whales''; to the Committee on Commerce, Science, and Transportation.

EC–7079. A communication from the Attorney, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Administrator, received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7080. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA Grant and Cooperative Agreement Handbook— Patent Rights and Rights in Data, CSC Programs'' (RIN2700–AD24) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7081. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Conforming Civil and Criminal Penalties to Statutory Requirements'' (RIN2127–AJ83) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7082. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''FMVSS No. 101 Petition for Reconsideration of Final Rule'' (RIN2127–AJ81) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7083. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Vehicles Built in Two or More Stages, Response to Petitions for Reconsideration'' (RIN2127–AJ91) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7084. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Galbraith Lake, AK'' ((RIN2120–AA66)(Docket No. 05–AAL–37)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7085. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Minchumina, AK, CORRECTION'' ((RIN2120–AA66)(Docket No. 05–AAL–41)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7086. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Kuparuk, AK'' ((RIN2120–AA66)(Docket No. 06–AAL–05)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7087. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Minchumina, AK'' ((RIN2120–AA66)(Docket No. 05–AAL–41)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7088. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Enroute Domestic Airspace Area, Vandenberg AFB, CA'' ((RIN2120–AA66)(Docket No. 05–AWP–15)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7089. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; Bay St. Louis, MS'' ((RIN2120–AA66)(Docket No. 06–ASO–2)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7090. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Herlong, CA'' ((RIN2120–AA66)(Docket No. 04–ANM–24)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7091. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Togiak Village, AK'' ((RIN2120–AA66)(Docket No. 06–AAL–06)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7092. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; St. Paul Island, AK'' ((RIN2120–AA66)(Docket No. 05–AAL–23)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7093. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Middleton Island, AK'' ((RIN2120–AA66)(Docket No. 06–AAL–04)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7094. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Cold Bay, AK'' ((RIN2120–AA66)(Docket No. 05–AAL–40)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7095. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Valdez Pioneer Field, AK'' ((RIN2120–AA66)(Docket No. 05–AAL–42)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7096. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Class E Airspace; Paducah Farrington Airpark, KY'' ((RIN2120–AA66)(Docket No. 06–ASO–4)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7097. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Mason City Municipal Airport, IA'' ((RIN2120–AA66)(Docket No. 06–ACE–3)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7098. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Restricted Areas R–3002A, B, C, D, E and F; and Establishment of Restricted Area R–3002G; Fort Benning, GA'' ((RIN2120–AA66)(Docket No. 04–ASO–14)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7099. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (43); Amdt. No. 3165'' ((RIN2120–AA65)(Docket No. 30492)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7100. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (138); Amdt. No. 3164'' ((RIN2120–AA65)(Docket No. 30491)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7101. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Standards for Flight Guidance Systems'' ((RIN2120–AI41)(Docket No. FAA–2004–18775)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7102. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 767 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–226)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7103. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A318–100 Series Airplanes; Model A319–100 Series Airplanes; Model A320–111 Airplanes; Model A320–200 Series Airplanes; Model A321–100 Series Airplanes; and Model A321–200 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2004–NM–270)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7104. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–300, 747–400, 747–400D, and 747SR Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–206)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7105. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 757–200 and –200PF Series Airplanes Equipped with Pratt and Whitney Engines'' ((RIN2120–AA64)(Docket No. 2006–NM–082)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7106. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2B19 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–100)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7107. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727, 727C, 727–100, and 727–100C Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–111)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7108. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters, Inc. Model 600N Helicopters'' ((RIN2120–AA64)(Docket No. 2006–SW–10)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7109. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Airplanes'' ((RIN2120–AA64)(Docket No. 2004–NM–81)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7110. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2B19 Airplanes'' ((RIN2120–AA64)(Docket No. 2003–NM–233)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7111. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–9–10, DC–9–20, DC–9–30, DC–9–40, and DC–9–50 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–109)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7112. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes'' ((RIN2120–AA64)(Docket No. 2004–NM–269)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7113. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Tractor, Inc. Models AT–400, AT–401, AT–401B, AT–402, AT–402A, and AT–402B Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–05)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7114. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Tractor, Inc. Models AT–802 and AT–802A Airplanes'' ((RIN2120–AA64)(Docket No. 2005–CE–14)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7115. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model SA–365 N1, AS–365 N2, N3, SA–366 G1, and EC–155B and B1 Helicopters'' ((RIN2120–AA64)(Docket No. 2006–

SW–07)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7116. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives CORRECTION; Airbus Model A300 B4–600, B4–600R, and F4–600R Series Airplanes, and Model C4–605R Variant F Airplanes'' ((RIN2120–AA64)(Docket No. 2004–NM–272)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7117. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747SR, and 747SP Series Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–199)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7118. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–301, –311, and –315 Airplanes'' ((RIN2120–AA64)(Docket No. 2004–NM–51)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7119. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A310 Airplanes, Model A300 B4–600 Series Airplanes, Model A300 B4–600R Series Airplanes , Model A300 F4–600R Series Airplanes, and Model A300 C4–605R Variant F Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–068)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7120. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cirrus Design Corporation Models SR20 and SR22 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–CE–49)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7121. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A319–131, –132, and –133; A320–232 and –233; and A321–131, –231, and –232 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–154)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7122. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–9–81, DC–9–82, DC–9–83, DC–9–87, MD–88, and MD–90–30 Airplanes'' ((RIN2120–AA64)(Docket No. 2003–NM–219)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VOINOVICH:

S. 3492. A bill to strengthen performance management in the Federal Government, to make the annual general pay increase for Federal employees contingent on performance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 3493. A bill to provide that quantitative restrictions shall not apply with respect to certain knit performance outerwear pants; to the Committee on Finance.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 3494. A bill to provide that quantitative restrictions shall not apply with respect to woven performance outerwear pants; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. SMITH, Mr. MCCAIN, Mr. KERRY, Mr. HAGEL, Mr. LUGAR, Ms. MURKOWSKI, and Mr. CARPER):

S. 3495. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam; to the Committee on Finance.

By Mr. DEMINT:

S. 3496. A bill to amend the Internal Revenue Code of 1986 to eliminate the limitation on the foreign earned income exclusion, and for other purposes; to the Committee on Finance.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 3497. A bill to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANTORUM:

S. 3498. A bill to suspend temporarily the duty on certain thin fiberglass sheets; to the Committee on Finance.

By Mr. KYL (for himself, Mr. GRASSLEY, Mr. DEWINE, Mr. CORNYN, Mr. BROWNBACK, Ms. SNOWE, Mr. BURNS, Mrs. HUTCHISON, and Mr. ALLEN):

S. 3499. A bill to amend title 18, United States Code, to protect youth from exploitation by adults using the Internet, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMAS (for himself, Mr. CONRAD, Mr. HARKIN, Mr. ROBERTS, Ms. COLLINS, Mr. DAYTON, Mr. SALAZAR, Mr. DOMENICI, Mr. BURNS, Mr. DORGAN, Mr. THUNE, Mr. JOHNSON, Mr. NELSON of Nebraska, Ms. MURKOWSKI, and Ms. SNOWE):

S. 3500. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN:

S. 3501. A bill to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program; to the Committee on Indian Affairs.

By Mr. KENNEDY (for himself, Mrs. CLINTON, and Mr. KERRY):

S. 3502. A bill to modernize the education system of the United States, to arm individuals with 21st century knowledge and skills in order to preserve the economic and national security of the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 3503. A bill to amend the Internal Revenue Code of 1986 to extend the financing of the Superfund; to the Committee on Finance.

By Mr. SANTORUM (for himself and Mr. BROWNBACK):

S. 3504. A bill to amend the Public Health Service Act to prohibit the solicitation or acceptance of tissue from fetuses gestated for research purposes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COLEMAN:

S. 3505. A bill for the relief of Konstantinos Ritos; to the Committee on the Judiciary.

By Mr. AKAKA:

S. 3506. A bill to prohibit the unauthorized removal or use of personal information contained in a database owned, operated, or maintained by the Federal government; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BIDEN:

S. Res. 507. A resolution designating the week of November 5 through November 11, 2006, as ''National Veterans Awareness Week'' to emphasize the need to develop educational programs regarding the contributions of veterans to the country; to the Committee on the Judiciary.

By Mr. BIDEN:

S. Res. 508. A resolution designating October 20, 2006 as ''National Mammography Day''; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. BENNETT, and Mr. BURR):

S. Res. 509. A resolution designating June 21, 2006, as ''National Professional Medical Coder Day'', in honor of the dedication and continued service of professional medical coders to the Nation; to the Committee on the Judiciary.

By Mr. MARTINEZ (for himself, Mr. LAUTENBERG, Ms. SNOWE, Ms. STABENOW, Mr. MENENDEZ, Mr. LOTT, and Mrs. DOLE):

S. Res. 510. A resolution designating the period beginning on June 28, 2006, and ending on July 5, 2006, as ''National Clean Beaches Week'', supporting the goals and ideals of that week, and recognizing the considerable value and role of beaches in the culture of the United States; to the Committee on the Judiciary.

By Mrs. CLINTON (for herself and Mr. HATCH):

S. Res. 511. A resolution commending and supporting Radio Al Mahaba, the 1st and only radio station for the women of Iraq; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 185

At the request of Mr. NELSON of Florida, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 185, a bill to amend title 10, United States Code, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan.

S. 211

At the request of Mrs. DOLE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2–1–1 telephone service

for information and referral on human services, volunteer services, and for other purposes.

S. 418

At the request of Mr. ENZI, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 418, a bill to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products.

S. 832

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 832, a bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes.

S. 842

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 842, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1173

At the request of Mr. DEMINT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1173, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board.

S. 1319

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1319, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 1360

At the request of Mr. SMITH, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1360, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage to designated plan beneficiaries of employees, and for other purposes.

S. 1513

At the request of Ms. MIKULSKI, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from North Carolina (Mrs. DOLE) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 1513, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 1934

At the request of Mr. SPECTER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1934, a bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes.

S. 1968

At the request of Mr. REID, his name was added as a cosponsor of S. 1968, a bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

S. 2068

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2068, a bill to preserve existing judgeships on the Superior Court of the District of Columbia.

S. 2115

At the request of Ms. STABENOW, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2115, a bill to amend the Public Health Service Act to improve provisions relating to Parkinson's disease research.

S. 2249

At the request of Mr. SANTORUM, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 2249, a bill to eliminate the requirement that States collect Social Security numbers from applicants for recreational licenses.

S. 2250

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2250, a bill to award a congressional gold medal to Dr. Norman E. Borlaug.

S. 2435

At the request of Mr. LUGAR, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2435, a bill to increase cooperation on energy issues between the United States Government and foreign governments and entities in order to secure the strategic and economic interests of the United States, and for other purposes.

S. 2491

At the request of Mr. CORNYN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2599

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2616

At the request of Mr. SANTORUM, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2616, a bill to amend the Surface Mining Control and Reclamation Act of 1977 and the Mineral Leasing Act to improve surface mining control and reclamation, and for other purposes.

S. 2658

At the request of Mr. BOND, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2658, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 2750

At the request of Mr. DEMINT, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 2750, a bill to improve access to emergency medical services through medical liability reform and additional Medicare payments.

S. 2917

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2917, a bill to amend the Communications Act of 1934 to ensure net neutrality.

S. 3456

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3456, a bill to ensure the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.

S. 3487

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 3487, a bill to amend the Small Business Act to reauthorize and improve the disaster loan program, and for other purposes.

S. CON. RES. 99

At the request of Ms. SNOWE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Con. Res. 99, a concurrent resolution expressing the sense of the Congress regarding the policy of the United States at the 58th Annual Meeting of the International Whaling Commission.

S. RES. 462

At the request of Mr. GRASSLEY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 462, a resolution designating June

8, 2006, as the day of a National Vigil for Lost Promise.

S. RES. 493

At the request of Mr. DEWINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. Res. 493, a resolution calling on the Government of the United Kingdom to establish immediately a full, independent, public judicial inquiry into the murder of Northern Ireland defense attorney Pat Finucane, as recommended by international Judge Peter Cory as part of the Western Park agreement and a way forward for the Northern Ireland Peace Process.

AMENDMENT NO. 4203

At the request of Mr. KERRY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 4203 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4205

At the request of Mr. LAUTENBERG, the names of the Senator from Michigan (Ms. STABENOW), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Iowa (Mr. HARKIN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Ms. MIKULSKI), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 4205 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4206

At the request of Mr. LUGAR, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of amendment No. 4206 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4208

At the request of Mr. WARNER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 4208 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Mr. TALENT, his name was added as a cosponsor of amendment No. 4208 proposed to S. 2766, supra.

At the request of Mr. FRIST, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 4208 proposed to S. 2766, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. VOINOVICH:

S. 3492. A bill to strengthen performance management in the Federal Government, to make the annual general pay increase for Federal employees contingent on performance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. VOINOVICH. Mr. President, I rise today to introduce the Federal Workforce Performance Appraisal and Management Improvement Act. Before I describe for my colleagues the details of this legislation, I would like to provide background on why I believe it is important for Congress to consider legislation reforming the performance appraisal processes of the government.

My interest in the federal workforce began after working with the Federal Government for 18 years as an outside force, 10 years as mayor of Cleveland and 8 years as Governor of Ohio. Through my work as chairman of the Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia, I continue to observe that investing in personnel and workforce management; in fact, management in general, struggles to be a priority in the Federal Government. My own experience as county auditor, county commissioner, mayor, and governor has taught me that, of all the things in which government can invest, resources dedicated to human capital bring the greatest return.

I continue to applaud the current administration for its systematic approach to improving and scrutinizing the management practices of the Federal Government through the President's Management Agenda and its related scorecard. Each year, the administration raises the bar as to what earns an agency a green, or successful, rating. One of the criteria used to evaluate a department or agency for strategic management of human capital this year is demonstrating a strong performance appraisal system for the Senior Executive Service, agency managers, and 60 percent of the workforce.

I believe that an effective performance management system is fundamental to building a results-oriented organization. By developing a system where employees have regular discussions with their supervisors about expectations for their performance, both employees and supervisors will be more effective in achieving their agency's mission. The primary goal of the Federal Workforce Performance Appraisal and Management Improvement Act of 2006 is to build and maintain this environment.

This legislation would strengthen and improve the employee performance appraisal system, which now is vague in its requirements. While some organizations have taken steps to modernize their performance management systems and tools such as the President's Management Agenda have moved agencies in that direction, there is no comprehensive governmentwide mandate to do so. This legislation would begin the reform process by layering a modern performance management system over the existing General Schedule system.

This legislation would require that every Federal employee receive annually a written performance appraisal. That appraisal must align with the agency's strategic goals, be developed with the employee, make meaningful distinctions among employee performance, and use the results in making decisions for training, rewarding, promoting, reassigning, and removing employees.

This legislation would require the Office of Personnel Management to provide technical assistance to agencies and approve the system. The government must utilize the Office of Personnel Management's institutional expertise.

This legislation would require that managers receive the appropriate training to judge the performance of their subordinates, make expectations clear to employees, and give constructive feedback.

This legislation would stipulate that if an employee does not achieve a successful rating under the new appraisal system, then that employee would be ineligible for the annual pay increase or a within grade increase.

This legislation would provide individuals hired as senior level or senior technical to access level II of the Executive Schedule with an OPM certified performance appraisal system, consistent with statute for the Senior Executive Service.

I am introducing this legislation because I believe that employees should receive a rigorous evaluation each year and that their pay should be determined based upon their performance. I agree with the observation that has been made repeatedly by Comptroller General David Walker, that the passage of time should not be the single most important factor in determining an employee's pay. Instead, it should be determined by productivity, effectiveness, and contributions of that employee.

I have implemented pay for performance before, and it can work. However,

it requires a significant commitment on behalf of managers and leaders. Instead of taking one giant bite at the apple, I believe it will be easier for Federal agencies to implement enhanced employee appraisals first. By instituting a more rigorous performance management standard on top of the current general schedule, I am optimistic this will create less anxiety among Federal employees.

I also would like to stress that I intend this effort to be completely bipartisan. The proposal I have outlined here today is not set in stone, and I imagine that it will undergo many changes.

I would like to transform the culture of the Federal workforce into a high-performing, continually improving organization that focuses on achieving results for the American people. The Federal workforce must be as agile, nimble, and intellectually energetic as the leading nongovernmental organizations or dot-com companies, capable of addressing the wide ranging challenges facing the U.S., from national security to global economic competitiveness to providing vital social services.

We must discuss the challenges before us and ask if the rules and culture of today's Federal workforce get the job done. We must engage in a dialogue about the future of the public service and ask the difficult questions about what we want it to achieve and how do we make it happen. This conversation will make many people uncomfortable, but it must take place. For as all of us who work on Federal workforce issues know, there is great disagreement about the types of reforms and changes that should be made going forward. We must ask, what should the Federal workforce be doing for America to meet the challenges of the 21st century? Once we have answered that question, we can begin to discuss how we build that workforce.

Mr. President, 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. 3492

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 ''Federal Workforce Performance Appraisal and Management Improvement Act of 2006''.

SEC. 2. PERFORMANCE APPRAISAL SYSTEMS.

Subchapter 1 of chapter 43 of title 5, United States Code, is amended—

(1) by amending section 4302 to read as follows:

''§ 4302. Establishment of performance appraisal systems

''(a)(1) Subject to paragraphs (2) and (3), each agency shall establish 1 or more performance appraisal systems to promote high performance.

''(2) In designing and applying a performance appraisal system established under this subsection, each agency shall—

''(A) link the system with the strategic goals and annual performance plan of the agency;

''(B) involve employees in the development of their performance standards;

''(C) provide each employee with a written performance appraisal annually;

''(D) make meaningful distinctions in performance; and

''(E) use the results of performance appraisals as a basis for training, rewarding, compensating, reassigning, promoting, reducing in grade, retaining, and removing employees.

''(3) Consistent with section 4304, each performance appraisal system established under this subsection shall be developed with appropriate technical assistance from the Office of Personnel Management and shall be reviewed before implementation and from time to time thereafter by the Director of the Office to determine whether the system meets the requirements of this subchapter. The agency shall promptly take any corrective action directed by the Director of the Office at any time under section 4304 (b)(3).

''(b) Under regulations which the Director of the Office of Personnel Management shall prescribe, each performance appraisal system shall provide for—

''(1) holding supervisors and managers accountable in their performance appraisal for effectively managing the performance of employees, which includes—

''(A) assessing performance;

''(B) providing ongoing feedback and preparing written performance appraisals;

''(C) addressing poor performance; and

''(D) promoting and rewarding excellent performance;

''(2) establishing performance standards related to relevant assigned tasks for each employee or position under the system which will permit—

''(A) the accurate evaluation of performance on the basis of objective criteria, to the maximum extent feasible; and

''(B) making meaningful distinctions in performance;

''(3) communicating to each employee at the beginning of each appraisal period the performance standards and the critical elements of the employee's position;

''(4) evaluating each employee during the appraisal period on such standards;

''(5) assisting employees in improving unacceptable performance;

''(6) reassigning, reducing in grade, or removing employees who continue to have unacceptable performance, but only after an opportunity to demonstrate acceptable performance;

''(7) establishing multiple levels of summary performance ratings which provide for making meaningful distinctions in performance, including at least—

''(A) a summary level of fully successful (or equivalent);

''(B) a summary level of unacceptable; and

''(C) a summary level above fully successful; and

''(8) recognizing and rewarding employees whose performance so warrants.''; and

(2) by amending section 4304 to read as follows:

''§ 4304. Responsibilities of the Office of Personnel Management

''(a) The Office of Personnel Management shall make technical assistance available to agencies in the development of performance appraisal systems.

''(b)(1) The Director of the Office shall review each performance appraisal system developed by any agency under this subchapter prior to its implementation and determine whether the performance appraisal system as designed meets the requirements of this subchapter.

''(2) The Director of the Office shall—

''(A) review agency performance appraisal systems developed under this subchapter from time to time after their implementation to determine the extent to which the application of any such system meets the requirements of this subchapter; and

''(B) report to the President and Congress any finding that an agency has failed to meet those requirements.

''(3) If the Director of the Office determines that a system does not meet the requirements of this subchapter (including regulations prescribed under section 4305), the Director of the Office shall direct the agency to implement an appropriate system or to correct operations under the system, and any such agency shall take any action so required.''.

SEC. 3. MANDATORY TRAINING PROGRAMS FOR SUPERVISORS.

(a) IN GENERAL.—Section 4121 of title 5, United States Code, is amended to read as follows:

''§ 4121. Specific training programs

''(a) In this section, the term 'supervisor' means—

''(1) a supervisor as defined under section 7103(a)(10); and

''(2) any other employee as the Director of the Office may by regulation prescribe.

''(b) Under operating standards promulgated by, and in consultation with, the Director of the Office of Personnel Management, the head of each agency shall establish—

''(1) a comprehensive management succession program to provide training to employees to develop managers for the agency; and

''(2) a program to provide training to supervisors on actions, options, and strategies a supervisor may use in—

''(A) communicating performance expectations and conducting employee performance appraisals;

''(B) mentoring employees and improving employee performance and productivity;

''(C) dealing with employees whose performance is unacceptable; and

''(D) otherwise carrying out the duties and responsibilities of a supervisor.

''(c)(1) Not later than 1 year after the date on which an individual is appointed to the position of supervisor, and every 5 years thereafter, that individual shall be required to complete the program established under subsection (b)(2).

''(2) Each program established under subsection (b)(2) shall include provisions under which credit may be given for periods of similar training previously completed.

''(d) The Director of the Office of Personnel Management shall prescribe regulations to carry out this section.''.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) IN GENERAL.—The amendments made by this section shall take effect as provided under section 8 and apply to—

(A) each individual appointed to the position of a supervisor, as defined under section 4121(a) of title 5, United States Code, (as added by subsection (a) of this section) on or after that effective date; and

(B) each individual who is employed in the position of a supervisor on that effective date as provided under paragraph (2).

(2) SUPERVISORS ON EFFECTIVE DATE.—Each individual who is employed in the position of a supervisor on the effective date of this section shall be required to —

(A) complete the program established under section 4121(b)(2) of title 5, United States Code (as added by subsection (a) of this section), not later than 3 years after the effective date of this section; and

(B) complete that program every 5 years thereafter in accordance with section 4121(c) of such title.

SEC. 4. PAY RATES AND SYSTEMS.

Chapter 53 of title 5, United States Code, is amended—

(1) in section 5303, by adding at the end the following:

''(h)(1) An employee covered under subchapter III whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, may not receive an increase in the rate of basic pay of that employee as the result of an adjustment under this section. The Director shall prescribe such rules as may be necessary to administer this subsection, including rules regarding the treatment of an employee whose rate of basic pay falls below the minimum rate of the applicable grade (or between steps of a grade) and the treatment of an employee whose performance subsequently improves.

''(2) When a determination is made that an employee covered under subchapter III will not receive an increase in the rate of basic pay of that employee because the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within the agency, as specified in the procedures prescribed by the Director of the Office of Personnel Management under section 5335(c). If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board under the same terms and conditions as specified in such section.'';

(2) in section 5304, by amending subsection (i) to read as follows:

''(i) The Director of the Office of Personnel Management shall prescribe regulations, consistent with this section, governing the payment of comparability payments to employees. The regulations shall provide that, at the time of an increase in a comparability payment, the rate of basic pay of an employee covered under subchapter III, or any other pay system designated by the Director, whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director, shall be reduced by an amount that results in retaining the employee's total rate of pay under this section and sections 5303 and 5304a, as in effect immediately before any increase under such sections. Such a reduction in an employee's rate of basic pay shall not be considered a reduction in pay for the purpose of applying the adverse action procedures under section 7512.''; and

(3) in section 5305, by amending subsection (f) to read as follows:

''(f)(1) When a schedule of special rates established under this section is adjusted under subsection (d), the special rate of an employee shall be adjusted in accordance with conversion rules prescribed by the Director of the Office of Personnel Management (or by such other agency as the President may designate under the last sentence of subsection (a)(1)).

''(2) The conversion rules prescribed under paragraph (1), shall provide that a covered employee whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, may not receive an increase in the special rate of that employee as the result of an adjustment under subsection (d). The Director shall prescribe such rules as may be necessary to administer this paragraph, including rules regarding the treatment of an employee whose rate of basic pay falls below the minimum rate of the applicable grade (or between pay rates or steps of a grade) and the treatment of an employee whose performance subsequently improves. The rules may provide for reducing an employee's rate of basic pay to the extent necessary to prevent any increase in the employee's special rate. Such a reduction in an employee's rate of basic pay shall not be considered a reduction in pay for the purpose of applying the adverse action procedures in section 7512.

''(3) When a determination is made that a covered employee will not receive an increase in the special rate of that employee under this subsection because the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within the agency, as specified in the procedures prescribed by the Director under section 5335(c). If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board under the same terms and conditions as specified in such section.'';

(4) in section 5335—

(A) in subsection (a) by amending subparagraph (B) to read as follows:

''(B) the employee's summary rating of performance for the most recently completed appraisal period is at least at the fully successful level, as defined by the Director of the Office of Personnel Management.''; and

(B) by amending subsection (c) to read as follows:

''(c)(1) When an employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the pay of that employee may not be increased under this section. Such an employee is entitled to prompt written notice of the determination not to increase the pay of that employee and an opportunity for reconsideration of the determination within the agency under uniform procedures prescribed by the Director of the Office of Personnel Management. If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board. If the reconsideration or appeal results in a reversal of the earlier determination, the new determination supersedes the earlier determination and is deemed to have been made as of the date of the earlier determination. The authority of the Director to prescribe procedures and the entitlement of the employee to appeal to the Board do not apply to a determination made by the Librarian of Congress.

''(2) Notwithstanding any other provision of law, an employee may grieve or appeal the first pay determination under this subsection or under section 5303(h), 5305(f), or 5363(b)(2(C) that is based on the employee's most recent summary rating of performance. An employee may not grieve or appeal any subsequent pay determination made that is based on the same summary rating of performance''; and

(5) by amending section 5338 to read as follows:

''§ 5338. Regulations

''The Director of the Office of Personnel Management may prescribe regulations necessary for the administration of this subchapter. Such regulations shall address how paysetting rules apply to an employee whose rate of basic pay is not equal to 1 of the scheduled step rates as a result of a determination not to increase the rate of basic pay of that employee under section 5303(h) or 5305(f) or to reduce the rate of basic pay of that employee under section 5304(i) or 5305(f).'';

(6) in section 5343 (relating to prevailing rate wage systems)—

(A) in subsection (e)—

(i) by amending paragraph (2) to read as follows:

''(2) A prevailing rate employee under a regular wage schedule whose summary rating of performance for the most recently completed appraisal period is at least at the fully successful level, as defined by the Director of the Office of Personnel Management, shall advance automatically to the next higher step within the grade at the beginning of the first applicable pay period following the completion by that employee of—

''(A) 26 calendar weeks of service in step 1;

''(B) 78 calendar weeks of service in step 2; and

''(C) 104 calendar weeks of service in each of steps 3 and 4.'';

(ii) by amending paragraph (4) to read as follows:

''(4) Supervisory wage schedules and special wage schedules authorized under subsection (c)(3) may have single or multiple rates or steps according to prevailing practices in the industry on which the schedule is based. A prevailing rate employee under a supervisory or special wage schedule with multiple rates or steps whose summary rating of performance for the most recently completed appraisal period is at least at the fully successful level, as defined by the Director of the Office of Personnel Management, shall advance automatically to the next higher step within the grade at the beginning of the first applicable pay period following the completion by that employee of any required waiting period.''; and

(iii) by adding at the end the following:

''(5)(A) When a summary rating of performance of an employee covered under this subchapter for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, the employee may not be advanced to the next higher step within the grade under paragraph (2) or (4). Such an employee is entitled to prompt written notice of the determination not to increase the pay of that employee and an opportunity for reconsideration of the determination within the agency under uniform procedures prescribed by the Director of the Office of Personnel Management. If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board. If the reconsideration or appeal results in a reversal of the earlier determination, the new determination supersedes the earlier determination and is deemed to have been made as of the date of the earlier determination.

''(B) Notwithstanding any other provision of law, an employee may grieve or appeal the first pay determination under this paragraph, subsection (g), or section 5363(b)(2)(C) when such determinations are made based on the same summary rating of performance. An employee may not grieve or appeal any subsequent pay determination made that is based on the same summary rating of performance.''

(B) by adding at the end the following:

''(g)(1) An employee covered under this subchapter whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, may not receive an increase in the rate of basic pay of that employee as the result of an adjustment in any wage schedule established under this subchapter. The Director may prescribe such rules as may be necessary to administer this subsection, including rules regarding the treatment of an employee whose rate of basic pay falls below the minimum rate of the applicable grade (or between steps of a grade) and the treatment of an employee whose performance subsequently improves.

''(2) When a determination is made that a covered employee will not receive an increase in the rate of basic pay of that employee at the time of an adjustment in a wage schedule because the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within the agency, as specified in the procedures prescribed by the Director of the Office of Personnel Management under subsection (e)(5). If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board under the same terms and conditions as specified under subsection (e)(5).'';

(7) in section 5363(b)(2) (relating to pay retention)—

(A) in subparagraph (B) by striking ''A rate'' and inserting ''Except as provided in subparagraph (C), a rate''; and

(B) by adding at the end the following:

''(C)(i) An employee's retained rate may not be increased under subparagraph (B) if the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management. The Director shall prescribe such rules as may be necessary to administer this subparagraph, including rules regarding the treatment of an employee whose performance subsequently improves.

''(ii) When a determination is made that an employee will not receive an increase in the retained rate of that employee because the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within the agency, as specified in the procedures prescribed by the Director of the Office of Personnel Management under section 5335(c). If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board under the same terms and conditions as specified under section 5335(c).'';

(8) in section 5376(b) (relating to pay for certain senior-level positions)—

(A) in paragraph (2), by striking ''Subject to paragraph (1)'' and inserting ''Subject to paragraphs (1) and (3)''; and

(B) by adding at the end the following:

''(3) Notwithstanding any other provision of this section, an employee covered under this section whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, may not receive an increase in the rate of basic pay of that employee. The Director shall prescribe such rules as may be necessary to administer this paragraph, including rules regarding the treatment of an employee whose rate of basic pay falls below the otherwise applicable minimum rate prescribed by paragraph (1)(A) and the treatment of an employee whose performance subsequently improves.'';

(9) in section 5382(a), in the first sentence, by inserting ''(except as provided by section 5383(a))'' after ''for the Senior Executive Service, and''; and

(10) in section 5383, by amending subsection (a) to read as follows:

''(a) Each appointing authority shall determine, in accordance with criteria established by the Director of the Office of Personnel Management, which of the rates within a range established under section 5382 shall be paid to each senior executive under such appointing authority. Such criteria shall provide that a member of the Senior Executive Service may not receive an increase in the rate of basic pay of that member if such member's summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director. The Director shall prescribe such rules as may be necessary to administer this subsection, including rules regarding the treatment of a member whose rate of basic pay falls below the otherwise applicable minimum rate prescribed by section 5382(a) and the treatment of a member whose performance subsequently improves.''.

SEC. 5. SENIOR EXECUTIVE SERVICE PLACEMENT IN OTHER PERSONNEL SYSTEMS.

Section 3594(c)(2) of title 5, United States Code, is amended to read as follows:

''(2)(A) Except as provided in subparagraph (B) of this paragraph, an employee who is receiving basic pay under paragraph (1)(B)(ii) or (iii) is entitled to have the rate of basic pay of the employee increased by 50 percent of the amount of each increase in the maximum rate of basic pay for the grade of the position in which the employee is placed under subsection (a) or (b) until the rate is equal to the rate in effect under paragraph (1)(B)(i) for the position in which the employee is placed.

''(B) A rate of basic pay established under paragraph (1)(B)(ii) or (iii) may not be increased under subparagraph (A) if the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management. The Director shall prescribe such rules as may be necessary to administer this subparagraph, including rules regarding the treatment of an employee whose performance subsequently improves.''.

SEC. 6. CERTAIN SENIOR-LEVEL POSITIONS.

(a) LOCALITY PAY.—Section 5304 of title 5, United States Code, as amended by section 4 of this Act, is further amended—

(1) in subsection (g), by amending paragraph (2) to read as follows:

''(2) The applicable maximum under this subsection shall be level III of the Executive Schedule for—

''(A) positions under subparagraphs (A) and (B) of subsection (h)(1); and

''(B) any positions under subsection (h)(1)(C) as the President may determine.''; and

(2) in subsection (h)—

(A) in paragraph (1)—

(i) by striking subparagraph (A);

(ii) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively;

(iii) in clause (v), by striking ''or'' at the end;

(iv) in clause (vi), by striking the period at the end and inserting ''; or''; and

(v) by adding at the end the following:

''(vii) a position to which section 5376 applies (relating to certain senior-level and scientific and professional positions).'';

(B) in paragraph (2)(B)—

(i) in clause (i)—

(I) by striking ''subparagraphs (A) through (C)'' and inserting ''subparagraphs (A) and (B)''; and

(II) by striking ''or (vi)'' and inserting ''(vi), or (vii)''; and

(ii) in clause (ii)—

(I) by striking ''paragraph (1)(D)'' and inserting ''paragraph (1)(C)''; and

(II) by striking ''or (vi)'' and inserting ''(vi), or (vii)''.

(b) ACCESS TO HIGHER MAXIMUM RATE OF BASIC PAY.—Section 5376(b) of title 5, United States Code, as amended by section 4 of this Act, is further amended—

(1) in paragraph (1) by amending subparagraph (B) to read as follows:

''(B) subject to paragraph (4), not greater than the rate of basic pay payable for level III of the Executive Schedule.''; and

(2) by adding at the end the following:

''(4) In the case of an agency which, under section 5307(d), has a performance appraisal system which, as designed and applied, is certified as making meaningful distinctions based on relative performance, paragraph (1)(B) shall apply as if the reference to 'level III' were a reference to 'level II'.

''(5) No employee may suffer a reduction in pay by reason of transfer from an agency with an applicable maximum rate of pay prescribed under paragraph (4) to an agency with an applicable maximum rate of pay prescribed under paragraph (1)(B).''.

(c) AUTHORITY FOR EMPLOYMENT; APPOINTMENTS; CLASSIFICATION STANDARDS.—Title 5, United States Code is amended—

(1) in section 3104(a), in the second sentence, by striking ''prescribes'' and inserting ''prescribes and publishes in such form as the Office may determine'';

(2) in section 3324(a) by striking ''the Office of Personnel Management'' and inserting: ''the Director of the Office of Personnel Management on the basis of qualification standards developed by the agency involved in accordance with criteria specified in regulations prescribed by the Director'';

(3) in section 3325—

(A) in subsection (a), in the second sentence, by striking ''or its designee for this purpose'' and inserting the following: ''on the basis of standards developed by the agency involved in accordance with criteria specified in regulations prescribed by the Director of the Office of Personnel Management''; and

(B) by adding at the end the following:

''(c) The Director of the Office of Personnel Management shall prescribe such regulations as may be necessary to carry out the purpose of this section.''; and

(4) in section 5108(a)(2) by inserting ''published by the Director of the Office of Personnel Management in such form as the Office may determine'' after ''and procedures''.

SEC. 7. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall prescribe regulations to carry out this Act, including the amendments made by this Act.

SEC. 8. EFFECTIVE DATES AND IMPLEMENTATION.

(a) SECTIONS 2 AND 3.—

(1) EFFECTIVE DATE.—The amendments made by sections 2 and 3 shall take effect on the earlier of—

(A) 180 days after the date of enactment of this Act; or

(B) the effective date of implementing regulations prescribed by the Director of the Office of Personnel Management.

(2) SUBMISSIONS.—

(A) PERFORMANCE APPRAISAL SYSTEMS.—Not later than July 1, 2007, each agency covered by subchapter I of chapter 43 of title 5, United States Code, shall submit to the Director of the Office of Personnel Management each performance appraisal system established under that subchapter so that the Director may determine whether the system meets the requirements of the subchapter. Each submission under this paragraph shall include all information the Director requires in order to make the determination.

(B) REPORT TO CONGRESS.—Not later than November 1, 2007, the Director of the Office of Personnel Management shall submit a report regarding the Director's review under section 4304(b)(1) of title 5, United States Code, as amended by section 2 of this Act, to the President and Congress.

(b) SECTIONS 4 AND 5.—The amendments made by sections 4 and 5 shall apply with respect to any employee beginning on the first day of the first pay period following the completion of 52 weeks after the date on which the first annual adjustments in rates of basic pay under section 5303 of title 5, United States Code, occur following the date of enactment of this Act.

(c) SECTION 6.—

(1) EFFECTIVE DATE.—The amendments made by section 6 shall take effect on the first day of the first pay period beginning on or after the 180th day following the date of enactment of this Act.

(2) NO REDUCTIONS IN RATES OF PAY.—

(A) IN GENERAL.—The amendments made by section 6 may not result, at the time such amendments take effect, in a reduction in the rate of basic pay for an individual holding a position to which section 5376 of title 5, United States Code, applies.

(B) DETERMINATION OF RATE OF PAY.—For the purposes of subparagraph (A), the rate of basic pay for an individual described in that subparagraph shall be deemed to be the rate of basic pay set for the individual under such section 5376, plus applicable locality pay paid to that individual, as of the effective date under paragraph (1).

(d) REFERENCES TO MAXIMUM RATES.—Except as otherwise provided by law, any reference in a provision of law to the maximum rate under section 5376 of title 5, United States Code—

(1) as provided before the effective date of the amendments made by section 6, shall be considered a reference to the rate of basic pay for level IV of the Executive Schedule; and

(2) as provided on or after the effective date of the amendments made by section 6, shall be considered a reference to—

(A) the rate of basic pay for level III of the Executive Schedule; or

(B) if the head of the agency responsible for administering the applicable pay system certifies that the employees are covered by a performance appraisal system meeting requirements established by the Director of the Office of Personnel Management, level II of the Executive Schedule.

By Mr. BAUCUS (for himself, Mr. SMITH, Mr. MCCAIN, Mr. KERRY, Mr. HAGEL, Mr. LUGAR, Ms. MURKOWSKI, and Mr. CARPER):

S. 3495. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam; to the Committee on Finance.

Mr. BAUCUS. Mr. President, today, I introduce with Senator GORDON SMITH a bill to grant Vietnam permanent normal trade relations status.

Thirty-one years ago, the lights went out on the relationship between the United States and Vietnam. Diplomatic relations were broken off, and trade ceased. The story between our two countries became one of refugees, prisoners of war, and soldiers missing in action. Hostility and mistrust prevailed. Normalization was a dream of the visionary or the fool.

In 1991—16 years after the last helicopters took off from the roof of the U.S. Embassy in Saigon—flickers of reconciliation emerged out of the darkness. In April of that year, President George H.W. Bush presented the Vietnamese government with a roadmap for normalization. That started a process of healing that lasted through successive Republican and Democratic administrations and was supported by courageous bipartisan action in the Congress: Between 1991 and 1993, veterans Senator JOHN KERRY, Senator MCCAIN, and former Senator Bob Smith led the Senate Select Committee on POW/MIA Affairs in the most exhaustive investigation of the status of POWs and MIAs ever conducted. In Feberuary of 1994, President Bill Clinton lifted the trade embargo on Vietnam. 17 months later, in July of 1995, he announced the normalization of political relations with Vietnam. In July of 2000, the United States and Vietnam concluded a comprehensive Bilateral Trade Agreement, allowing the United States to provide, for the first time, nondiscriminatory treatment to Vietnam's products. And just last month, the United States and Vietnam signed another trade agreement, paving the way for Vietnam's accession to the World Trade Organization.

Today, we continue the legacy of reconciliation.

This morning, Senator SMITH and I—along with Senators MCCAIN, KERRY, HAGEL, LUGAR, MURKOWSKI, and CARPER—introduced a bill to grant Vietnam Permanent Normal Trade Relations status, or PNTR. I congratulate Representatives RAMSTAD and THOMPSON for introducing the House version of this bill.

This is the final step on the road to normalization. With this bill, we will complete the process begun 15 years ago.

Today, we open a new book to the future.

With 83 million people and a median age just over 25 years old, Vietnam is one of the most important emerging markets in Asia. Our trade with Vietnam has grown to 30 times what it was in 1994.

With PNTR, we begin the story of full engagement between the United States and Vietnam. It is a story of economic cooperation and cultural understanding. It is a story where trade and markets overshadow memories of guns and war.

I look forward to working with my Senate and House colleagues, the administration, and all interested parties to pass this historic bill by the August recess.

I ask that a copy of the text of the bill be printed into the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3495

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) In July 1995, President Bill Clinton announced the formal normalization of diplomatic relations between the United States and Vietnam.

(2) Vietnam has taken cooperative steps with the United States under the United States Joint POW/MIA Accounting Command (formerly the Joint Task Force-Full Accounting) established in 1992 by President George H. W. Bush to provide the fullest possible accounting of MIA and POW cases.

(3) In 2000, the United States and Vietnam concluded a bilateral trade agreement that included commitments on goods, services, intellectual property rights, and investment. The agreement was approved by joint resolution enacted pursuant to section 405(c) of the Trade Act of 1974 (19 U.S.C. 2435(c)), and entered into force in December 2001.

(4) Since 2001, normal trade relations treatment has consistently been extended to Vietnam pursuant to title IV of the Trade Act of 1974.

(5) Vietnam has undertaken significant market-based economic reforms, including the reduction of government subsidies, tariffs and nontariff barriers, and extensive legal reform. These measures have dramatically improved Vietnam's business and investment climate.

(6) Vietnam is in the process of acceding to the World Trade Organization. On May 31, 2006, the United States and Vietnam signed a comprehensive bilateral agreement providing greater market access for goods and services and other trade liberalizing commitments as part of the World Trade Organization accession process.

SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO VIETNAM.

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NON-DISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that such title should no longer apply to Vietnam; and

(2) after making a determination under paragraph (1) with respect to Vietnam, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(b) TERMINATION OF THE APPLICABILITY OF TITLE IV.—On and after the effective date of the extension of nondiscriminatory treatment to the products of Vietnam under subsection (a), title IV of the Trade Act of 1974 shall cease to apply to that country.

Mr. SMITH. Mr. President, I rise to join the Senator from Montana, Mr. BAUCUS, in offering legislation that would grant Vietnam permanent normalized trade relations treatment and help to pave the way for Vietnam's accession to the World Trade Organization. I am proud to also be joined in this effort by Senators MCCAIN, KERRY, HAGEL, LUGAR, MURKOWSKI, and CARPER.

Last December, I was privileged to lead a delegation of U.S. Senators to Vietnam. During our visit, we met with President Luong and other Vietnamese officials to discuss the importance of our bilateral relationship and the need to get a good market access agreement between the United States and Vietnam that will help cement that relationship.

I congratulate Ambassadors Rob Portman and Susan Schwab and the USTR team for their work to get this agreement. This is a great achievement.

Over the last decade, our relationship with Vietnam has been characterized by increased cooperation and engagement. The passage of our legislation will enhance those ties and create new economic opportunities for U.S. businesses.

In recent years, Vietnam has undertaken a number of market-based economic reforms, including the reduction of government subsidies, tariffs, and non-tariff barriers, and extensive legal reforms. These reforms have spurred dramatic economic growth. Vietnam is now the fastest growing economy in Southeast Asia and a growing market for U.S. exporters.

In 2000, the United States and Vietnam concluded a bilateral trade agreement. Since that agreement entered into force, U.S. exports to Vietnam have increased by 150 percent. Last year alone, U.S. exports to Vietnam rose by 24 percent.

The recently negotiated market access agreement will build upon that success by further lowering trade barriers to a wide range of U.S. industrial and agricultural products and services. Upon Vietnam's accession to the WTO, U.S. businesses will enjoy greater access to a market of more than 83 million people.

Agricultural producers will benefit from immediate tariff reductions on U.S. exports as well as new commitments by Vietnam to improve implementation of sanitary and phytosanitary measures. Oregon growers will benefit as tariffs on apples and pears are cut from 40 percent to 10 percent over the next 5 years and tariffs on frozen French fries are reduced from 50 percent to 13 percent over the next 6 years.

Oregon manufacturing and branding companies have long had a presence in Vietnam. These companies will immediately benefit from increased market access and greater regulatory transparency.

Having Vietnam within the rules-based global trading system will be good for U.S. businesses. This accession agreement will be key to ensuring that Vietnam follows global trade rules.

It will also ensure that the Vietnamese people will be able to realize the benefits of trade liberalization. By increasing transparency and implementing market-based reforms, Vietnam is essentially opening itself to international commerce. Countries that open themselves to trade attract investment, which in turn creates jobs and enhances individual welfare.

The passage of PNTR legislation will mark the final step toward normalizing our relationship with Vietnam. This bill represents a historic moment in our relationship with Vietnam and a definitive statement of how we have moved beyond our past divisions.

I am especially pleased with the strong bipartisan support that we have received for this bill. I am hopeful that we will be able to move this bill before Congress leaves for the August recess, so that it can be signed into law before President Bush's visit to Vietnam in November.

By Mr. KYL (for himself and Mr. McCAIN):

S. 3497. A bill to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KYL. Mr. President, today I am pleased to join with Senator McCAIN to introduce the Las Cienegas Enhancement Act of 2006. This legislation directs a land exchange between the Bureau of Land Management and the Las Cienegas Conservation, LLC. in southeastern Arizona. The bill is the product of consensus. State and local officials, conservationists, and other stakeholders have worked together to structure an exchange that is fair and in the public interest.

Let me explain the details of the exchange. The land to be transferred out of Federal ownership, approximately 1,280 acres, is referred to as the ''Sahuarita property.'' This property is BLM-managed land south of Tucson near Corona de Tucson. The land is low-lying Sonoran desert and has been identified for disposal by the BLM through its land-use planning process.

The private land to be brought into Federal ownership is approximately 2,392 acres of land referred to as the ''Empirita-Simonson property.'' This property lies north of the Las Cienegas National Conservation Area managed by the BLM. The Empirita-Simonson property lies within the ''Sonoita Valley Acquisition Planning District'' established by Public Law 106–538, which designated the Las Cienegas National Conservation Area. The act directed the Department of the Interior to acquire lands from willing sellers within the planning district for inclusion within the conservation area to further protect the important resource values for which the area was designated.

Although this bill is centered on the land exchange I just described, it also accomplishes two other important objectives: addressing water withdrawals at Ciengas Creek and providing road access to a popular recreation destination, the Whetstone Mountains controlled by the Forest Service.

Let's talk about water. Arizonans understand that protecting our water supply is crucial to the State's future. For this reason, when we can, we look for ways to promote responsible use of our limited water supply. This bill is one of those examples of responsible use. There is a prior claim to a well site on the private land that will be exchanged. That prior claim would allow the developer to withdraw 1,600 acre feet of water a year. Pima County and the community at large are concerned about the future of Ciengas Creek and the entire riparian area if these water withdrawals occur.

To address this concern, the land exchange is conditioned on Las Cienegas Conservation Inc. conveying the well site to Pima County and relinquishing those water rights it controls. The net result is a water savings of 1,050 acre-feet per year. This is a significant benefit to this riparian area.

Overall, this bill allows us to accomplish important environmental and conservation objectives while managing our development. It is a bill with broad support that includes the Governor of Arizona, Pima County, the city of Tucson, and many others. I urge my colleagues to work with me to approve this legislation at the earliest possible date.

By Mr. KYL (for himself, Mr. GRASSLEY, Mr. DEWINE, Mr. CORNYN, Mr. BROWNBACK, Ms. SNOWE, Mr. BURNS, Mrs. HUTCHISON, and Mr. ALLEN):

S. 3499. A bill to amend title 18, United States Code, to protect youth from exploitation by adults using the Internet, and for other purposes; to the Committee on the Judiciary.

Mr. KYL. Mr. President, I rise today to introduce the Internet SAFETY Act of 2006. The word ''SAFETY'' in the bill's title stands for Stop Adults Facilitating the Exploitation of Youth. It is a fairly descriptive acronym, for the provisions of the Internet SAFETY Act are designed to crack down on the spread of Internet child pornography and related conduct. The act does so by creating new Federal offenses and causes of action targeted at those who produce or knowingly facilitate Internet child pornography, by increasing penalties for child pornography, sex trafficking, and sexual abuse offenses, and by increasing resources available for prosecution and prevention of child sexual-abuse offenses, including authorizing 200 new assistant U.S. attorneys across the country to prosecute child pornography and sexual exploitation crimes.

The need for renewed law-enforcement attention to child pornography is demonstrated in a recent report of the U.S. Justice Department titled ''Project Safe Childhood.'' I will ask to have an extended excerpt from the report printed in the RECORD at the conclusion of my remarks. As the report notes, ''judging simply by [recent] crime statistics, it is clear that the Internet is helping to fuel an epidemic of child pornography'' in this country. Unfortunately, by providing greater technical ease and increased anonymity in trading images, the Internet has ''taken down barriers that one time served as a deterrent to child pornographers.'' In 2003, an estimated 20,000 images of child pornography were posted on the Internet every week. Between 1998 and 2004, child pornography reports made to the National Center for Missing and Exploited Children increased from 3,267 to 106,119—a thirty-fold increase over a 6-year period. The Justice Department also notes that there has been an escalation in the severity of abuse depicted in child pornography in recent years, ''with the images found today more frequently involving younger children—including toddlers and even infants—and despicable acts such as penetration of infants.'' The Project Safe Childhood report concludes that ''the nation should be alarmed at the fact that child pornography is being produced,

possessed, and distributed in record numbers.'' As the report notes, child pornography's harm extends beyond that done to the children who are sexually abused to produce such images: ''child pornography [also] plays a central role in child molestations, serving to justify offenders' conduct, assist them in gaining compliance with their victims, and to provide a means to blackmail the children they have molested in order to prevent exposure.''

The Internet SAFETY Act does the following things. It creates a new Federal offense, punishable by a maximum of 10 years in prison, for financially facilitating access to child pornography on the Internet. The act also deters Internet facilitation of child pornography by imposing civil penalties for Internet communications providers that fail to report child pornography, criminal penalties for Web site operators who insert words or images into source code with the intent to deceive persons into viewing obscene material on the Internet, and by requiring commercial Web site operators to place warning marks prescribed by the Federal Trade Commission on Web pages that contain sexually explicit material.

The Internet SAFETY Act also punishes the operation of child pornography enterprises. It creates a new Federal offense, punishable by a minimum of 10 years in prison, for the operation of an enterprise that profits from the sexual exploitation of children. The act also imposes mandatory, consecutive 10 year sentences for any child pornography or exploitation offense committed by a registered sex offender. In addition, the act increases penalties for offenses involving child pornography, child prostitution and sex trafficking, child sexual abuse, and sexual assault.

The Internet SAFETY Act also expands the Federal private right of action against child pornographers. It allows a victim, including parents of a minor victim, to seek civil remedies, and also allows a victim to seek remedies as an adult. This provision is inspired by a young girl named Masha who was adopted from Russia by a man who repeatedly molested her, photographed her, and posted pornographic images of her on the Internet. In addition, the act adds the obscenity and child pornography statutes to the RICO predicates and adds electronic mail fraud to the wiretap predicates.

The Internet SAFETY Act also establishes within the Justice Department an Office on Sexual Violence and Crimes Against Children to coordinate sex offender registration and notification programs and grant programs, and to assist State, local, and tribal governments and other entities with sex offender registration or notification and other measures.

Finally, the act authorizes and directs the Attorney General to make grants to States, local governments, Indian tribes, and nonprofit organizations for child sexual abuse prevention programs. In addition, the act authorizes appropriations for 200 additional child exploitation prosecutors in U.S. Attorneys' Offices around the country and 20 additional Internet Crimes Against Children task forces.

I ask unanimous consent that the following passages from the Justice Department's report Project Safe Childhood be printed in the RECORD.

There being no objection, the additional material was ordered to be printed in the RECORD, as follows:

PROJECT SAFE CHILDHOOD—PROTECTING CHILDREN FROM ONLINE EXPLOITATION AND ABUSE

INTRODUCTION

The Internet and other communications technologies are increasingly used by sexual predators and abusers as tools for exploiting and victimizing our children. First, these technologies have contributed to a significant increase in the proliferation and severity of child pornography. They provide pornographers with an easily accessible and seemingly anonymous means for collecting large number of images of child sexual abuse. Eventually, some predators turn to producing their own images. The result has been that images of child sexual abuse today are more disturbing, more graphic, and more sadistic than ever before, and they involve younger and younger children. Second, as the Internet and related technologies have grown, children have become increasingly at risk of being sexually solicited online by predators. Law enforcement is uncovering an escalating number of ''enticement'' cases, where perpetrators contact children in chat rooms or through instant messaging and arrange to meet at a designated location for the purpose of making sexual contact.

* * * * *

Part II. The Need for a national initiative to protect children

Two types of dangers to children are especially problematic. First, the threat of sexual predators contacting children online, with the hope of luring them to meet in person, has been amply demonstrated by academic studies as well as recent investigative journalism reports. A Youth Internet Safety Survey conducted between August 1999 and January 2000 found that approximately one in five children per year receives an unwanted sexual solicitation online. One in thirty-three children per year receives an aggressive sexual solicitation—i.e., one in which a solicitor asks to meet them somewhere, calls them on the telephone, or sends mail, money, or gifts. And one in four per year has an unwanted exposure to sexually explicit material. Meanwhile, only 25 percent of the youth who encountered a sexual solicitation told a parent. Only a fraction of all episodes were reported to authorities, such as a law enforcement agency, an Internet service provider, or a hotline. According to a recent media report, at any given time, 50,000 predators are on the Internet prowling for children. These figures make clear that the threat of online enticement of children is immense.

Second, the victimization of children through the production and distribution of child pornography is equally troubling, and on the rise. It was estimated, even in 2003, that more than 20,000 images of child pornography are posted on the Internet each week. NCMEC's CyberTipline logged a 39 percent increase in reports of the possession, creation, or distribution of child pornography in 2004. The gravity of these increases is more dramatically demonstrated by comparing the actual number of reports in 1998 to those logged in 2004, rather than merely reciting percentage increases. In 1998, the CyberTipline received 3,267 reports of child pornography. In 2004, the CyberTipline received 106,119 of these reports, marking more than a 30–fold increase in child pornography reports in a six year period. Judging simply by crime statistics, it is clear that the Internet is helping to fuel an epidemic of child pornography.

Not only is there an increase in the volume of pornographic images, there is also an escalation in the severity of the abuse depicted, with the images found today more frequently involving younger children-including toddlers and even infants-and despicable acts such as penetration of infants. And technology lends itself to the dissemination of more graphic images via the web, with its easy access, low cost, and apparent anonymity.

Experts agree that the escalation in both the prevalence and severity of child pornography is driven at least in part by advances in computer technology and increased access to the Internet. According to a recent study, 78.6 percent of Americans go online, and almost two-thirds of Americans use the Internet at home. While it is impossible to determine exactly how many people are looking at child pornography, experts attribute the escalation in the quantity of child pornography being created and distributed to the growth of the Internet, and the concomitant ease with which child predators can now buy, sell, and swap images. The resulting sense of community among child predators is in turn helping to embolden those who may have had misgivings about a sexual interest in children, and it is thus driving a market for new images with fresh faces. Before the Internet, it was difficult and risky for child exploiters to go out and find other child exploiters with whom to share images, which left the child pornography industry relegated to small black markets in underground bookstores or secret mailings. Today, the Internet has provided these pedophiles with an accessible, convenient, and anonymous means for interacting with their community and obtaining illicit material. The Internet has thus taken down borders that at one time served as a deterrent to child pornographers.

THESE ESCALATING TRENDS PRESENT A SERIOUS RISK TO OUR SOCIETY

The harm caused by enticement offenses is beyond question. Sexual abuse is a serious crime that deeply affects any victim, especially children, and it has dramatic secondary effects on our society. The looming danger of our children being preyed upon by pedophiles in chat rooms or through social networking sites is, in short, among the gravest threats facing children today.

The impact of child pornography on victims, and on society as a whole, is far less appreciated today than the threat of enticement offenses. Child pornography images are not just pictures, akin to any number of other images legally available on the Internet. Most images of child pornography depict victims—children—who have been exploited and abused. These images are permanent visual records of child sexual abuse. For this reason, the very term commonly used to describe these terrible images—''child pornography''—does not adequately convey the horrors these images depict. A more accurate term would be ''images of child sexual abuse,'' because the very production of the images necessarily involves the sexual abuse of a child. And the child is re-victimized each time they are viewed.

The nation should be alarmed at the fact that child pornography is being produced, possessed, and distributed in record numbers.

According to a 2005 study entitled ''Child-Pornography Possessors Arrested in Internet-Related Crimes: Findings from the National Juvenile Online Victimization Study,'' which studied defendants arrested and charged with possession of child pornography between July 2000 and June 2001:

More than 80 percent of arrested [child pornography] possessors had images of prepubescent children, and 80 percent had images of minors being sexually penetrated. Approximately 1 in 5 (21 percent) arrested [child pornography] possessors had images of children enduring bondage, sadistic sex, and other sexual violence. More than 1 in 3 (39 percent) [child pornography] possessors had videos depicting child pornography with motion and sound.

Although their identities are often unknown, many of the children in these graphic images were sexually victimized and assaulted. Those who possess these pictures—for sexual gratification, curiosity, as a means of profit, or for other reasons—are adding to the burdens of these young victims, whose trauma may be increased by knowing their pictures are circulating globally on the Internet with no hope of permanent removal or could be entered into circulation in the future.

Child pornography victimizes children in a very real and dramatic way. Of course, no child can consent to being sexually exploited through the production of sexually-explicit images. Each time the image is viewed or distributed, the child is again victimized. ''[N]o mere words could ever truly describe the daily torture of victims who were forced to participate in child pornography years ago and now, as adults, see images of themselves 'performing' on the Internet. In addition to the obvious physical injuries that a child can suffer due to sexual abuse, the emotional and psychological trauma is devastating, and lasting. Many child victims suffer from depression, withdrawal, anger, and other conditions that often continue into adulthood. They experience feelings of guilt and responsibility for the abuse, a sense of powerlessness and feelings of worthlessness.

Thus, for the sole fact of the victimization and damage that child pornography visits upon children, possession of child pornography is a heinous crime that must be stamped out. But that is only half of the story of the pernicious effect of child pornography. Possession of child pornography is a serious crime for four additional reasons, each of which is described more fully below:

1. The exchange of child pornography by and between child exploiters validates and encourages them in their beliefs and behaviors;

2. The greater availability of child pornography has led to the production, receipt, and distribution of more shocking, graphic images, which are increasingly involving younger children and infants;

3. The compulsion to collect child pornography images may lead to a compulsion to molest children, or may be indicative of a propensity to molest children; and

4. Child pornography is frequently used by molesters as an affirmative tool, either to silence their victims, to blackmail them into further exploitation, or to entice other children.

VALIDATION AND ENCOURAGEMENT

Use of the Internet by child pornographers to exchange images and communications regarding those images provides positive reinforcement for them in their beliefs and behaviors, encouraging further exploitation of children. One study of offenders revealed that exploiters' relationships with other offenders, forged online, ''legitimize[d] and normalize[d] their interests'' in their own minds. In short, the process of collecting and trading child pornography bonds the offenders together, and having an extensive child pornography collection heightens an offender's status within this community. The incentives to abuse children, capture the abuse, and share the images are strong, allowing the producer a way into the community and a means for obtaining yet more images of abuse from other producers or distributors. Child pornography is used as a means of establishing trust and camaraderie amongst child exploiters and molesters, as proof of good intentions when initiating contacts with one another. It is, in part, for these reasons that offenders are frequently found with thousands of images.

In considering this factor, one can see the important role that the Internet has played in the growth of the child pornography market. Before the Internet, child exploiters were isolated. Without knowing that others like them existed, pedophilia or a sexual interest in children was a shameful secret. Through the Internet, however, persons who desire to exploit children get to know that others like them exist, they share their preferences and their child pornography, and they no longer feel abnormal. The child exploiter sees in the Internet a way of validating his behavior: he is able to convince himself that his behavior or obsession is not abnormal, but is in fact shared by thousands of other people who, in the predator's mind, are sensitive, intelligent, and caring people.

MORE SHOCKING, GRAPHIC IMAGES

A more distressing trend is that, as pedophiles collect more and more images of child sexual abuse, they become de-sensitized to the horrors contained within their existing collections, and they seek gratification through novel and yet more disturbing images. The only way that this demand can be met is through a supply of new images involving more horrific images of I hands-on sexual abuse than that already present in the person's collection of images. The result has been a rise in demand for pornographic images of younger children, including babies and toddlers. Twenty percent of the images seized depicting sexual exploitation of children involved images of babies and two- and three-year-olds. And, disturbingly, the abuse is getting worse, with the depictions being more sadistic than ever.

INCREASED COMPULSION/PROPENSITY TO MOLEST CHILDREN

As an offender's interest in children draws him to the child pornography market, his compulsion to view and collect images may become entwined with, or lead to, a compulsion to molest children. A study conducted by Ethel Quayle and Max Taylor revealed that the subject's access to child pornography ''intensified his levels of sexual arousal and behavior and fueled his desire to engage in a relationship with a child.'' The subject progressed from viewing images, to entering chat rooms, to attempting to meet children offline.

Several factors other than mere sexual perversion may cause the tendency of child pornography collectors to begin to molest children. For instance, a collector's desire for novel and more graphic images could provide an incentive simply to produce the images himself, and computer technology today makes it easier to create the images and distribute them. In addition, collectors often feel that they have to produce new images because, in order to continue trading for new images, they have to offer up their own new images as part of the rules of some child pornography communities.

Empirical studies support the proposition that individuals who view child pornography are often also child molesters. According to a study completed in 2000 by Dr. Andres E. Hernandez, Director of the Sex Offender Treatment Program at the Butner Federal Correctional Complex in North Carolina, 79.6% of 54 offenders convicted of child pornography offenses admitted that they had molested significant numbers of children without detection. On average, the offenders had 26.37 child sex victims and admitted to over 1,424 contact sexual crimes. Of these 1,400+ contact sexual crimes, only 53 were detected or known about and taken into account at sentencing.

Consistent with these studies, a 1986 Report of the U.S. Senate Permanent Subcommittee on Investigations on Child Pornography and Pedophilia stated: ''No single characteristic of pedophilia is more pervasive than the obsession with child pornography. The fascination of pedophiles with child pornography and child abuse has been documented in many studies and has been established by hundreds of sexually explicit materials involving children.''

Although the U.S. Senate Subcommittee found no direct evidence of causality—i.e., that possession of child pornography causes people to commit child sex offenses—it did conclude that child pornography plays a central role in child molestations, ''serving to justify [the offender's] conduct, assist them in seducing their victims and provide a means to blackmail the children they have molested in order to prevent exposure.'' In a 2005 study of child pornography possessors arrested in Internet-related crimes, the reviewers concluded that ''one out of six [child pornography] possession cases beginning with an investigation of or allegation about [child pornography] possession discovered a dual offender who had also sexually victimized a child or attempted to do so.''

According to Raymond Smith, Assistant Inspector-in-Charge of the Special Investigations Division and the manager of USPIS's Child Exploitation Program, the USPIS began in 1997 compiling statistical information on the number of child pornography suspects arrested by U.S. Postal Inspectors that were also child molesters. Additionally, the USPIS began to collect data on the number of child victims identified and rescued from further sexual abuse as a result of investigations conducted by Postal Inspectors. Since 1997, 802 child molesters were identified and stopped, and 1,048 victimized children were rescued. According to Smith, of the more than 2,400 individuals arrested since 1997 for using the U.S. Mail and the Internet to sexually exploit children, child molesters were identified in one out of every three cases.

AFFIRMATIVE TOOLS OF MOLESTERS

Not only do images of child pornography record horrific abuse and victimization of children, but they often are also used as affirmative tools by the abusers. Abusers frequently use such pornography to lower another child's inhibitions with images that appear to show the victim enjoying the abuse or to validate sex between children and adults as normal. Moreover, offenders use the images to blackmail the victim into silence or into performing further acts of abuse, threatening to release the images to parents, peers, or others if the victim talks or does not allow further exploitation. Such blackmailing even can be aimed at forcing kids into prostitution and the child trafficking trade.

Child pornography plays a central role in child molestations, serving to justify offenders' conduct, to assist them in gaining compliance from their victims, and to provide a means to blackmail the children they have molested in order to prevent exposure. Consequently, child pornography does not simply involve abuse of the individual child victim whose image is created; it is also used

affirmatively to perpetuate the sexual exploitation of the same child or other children.

Child and adult pornography is frequently used by child exploiters to lure children into physical sex acts. After a child molester befriends a child and gains the child's trust, he will expose the child to pornography to persuade the child that the behavior is normal and acceptable, and to coax him or her into participation. The Sexually Exploited Child Unit of the Los Angeles Police Department conducted a ten year study and found that adult and child pornography was reportedly used in over 87% of all their child molestation cases. Child pornography is therefore not just a tool for perpetuating more (and more graphic) child pornography—it is also a tool for exploiters to gain opportunities to exploit and molest even more children.

A CALL TO ARMS

The measures taken to this point have not served to dramatically lessen the number of incidents of child exploitation. Indeed, all of the evidence leads to the conclusion that the exploitation of children is a burgeoning problem. The explosion in the production and trafficking of child pornography, in particular, represents nothing short of an epidemic confronting our country.

By Mr. THOMAS (for himself, Mr. CONRAD, Mr. HARKIN, Mr. ROBERTS, Ms. COLLINS, Mr. DAYTON, Mr. SALAZAR, Mr. DOMENICI, Mr. BURNS, Mr. DORGAN, Mr. THUNE, Mr. JOHNSON, Mr. NELSON of Nebraska, Ms. MURKOWSKI and Ms. SNOWE):

S. 3500. A bill to amend title VIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes; to the Committee on Finance.

Mr. THOMAS. Mr. President, I am pleased to rise today to introduce the Rural Hospital and Provider Equity, R–HoPE, Act of 2006 with Senator CONRAD, Senator HARKIN, Senator ROBERTS, and fellow Senate Rural Health Caucus members Senators COLLINS, DAYTON, SALAZAR, BURNS, DOMENICI, DORGAN, THUNE, JOHNSON, BEN NELSON, and MURKOWSKI. As always, it is important to note that rural health care legislation has a long history of bipartisan collaboration and cooperation.

The 108th Congress reaped unparalleled successes in terms of rural health care legislation. When Congress enacted the Medicare Modernization Act, MMA, it included a comprehensive health care package specifically tailored with rural communities, hospitals, and providers in mind. This was the largest rural provider payment package ever considered by Congress.

As Republican cochairman of the Senate Rural Health Caucus, I was proud to help lead the effort to put rural providers on a level playing field with their urban neighbors. We enacted commonsense Medicare payment equity provisions critical to maintaining access to quality health care in isolated and underserved areas. Rural America achieved a significant victory, and we have much to celebrate. However, our mission is not complete. Several of the MMA's rural health provisions have expired, or are set to expire this year. That is why I have introduced the Rural Hospital and Provider Equity Act—to finish the work we started 3 years ago.

This legislation not only reauthorizes expiring rural MMA provisions but also takes additional steps to address inequities in the Medicare payment system that continually place rural providers at a disadvantage. My bill recognizes the unique needs of rural hospitals and levels the playing field between rural and urban providers.

Rural hospitals are more dependent on Medicare payments as part of their total revenue. In fact, Medicare accounts for almost 70 percent of total revenue for small, rural hospitals. Rural hospitals have lower patient volumes, but must compete nationally to recruit providers due to the nursing—and other health professional—workforce shortages. Additional burdens are placed on rural hospitals and providers because of higher uninsured and underinsured rates in rural America. Also, seniors living in rural areas tend to be poorer and have more chronic conditions than their urban and suburban counterparts.

First, the Rural Hospital and Provider Equity Act recognizes the special circumstances rural hospitals face and addresses these issues by equalizing Medicare disproportionate share hospital, DSH, payments. These add-on payments help hospitals cover the costs of serving a high proportion of low-income and uninsured patients. Current law allows urban facilities to receive unlimited add-ons corresponding with the amount of patients served. However, small or rural hospital add-on payments are capped at 12 percent. This measure eliminates the rural hospital cap, bringing their payments in line with the benefits urban facilities receive.

Second, the bill recognizes that low-volume hospitals have a higher cost per case which results in negative operating margins. To alleviate this problem, we established a low-volume inpatient payment adjustment for hospitals that have less than 2000 annual discharges per year and are located more than 15 miles from another hospital. This provision will improve payments for approximately one-third of all rural hospitals.

In addition to these Medicare payment reforms, this legislation strengthens the over 3,000 rural health clinics that serve many rural Americans. Under current law, rural health clinics receive an all-inclusive payment rate that is capped at approximately $63. This payment has not been adjusted—except for inflation—since 1988. To recognize the rising costs of health care, this bill raises the rural health clinic cap to $82, making it comparable to the rate Community Health Centers receive. By caring for folks in underserved areas, rural health clinics and community health centers are a key component of the rural health care delivery system. As not every small town can sustain a hospital, we need to ensure these types of facilities are paid adequately and are provided enough flexibility to meet the health care needs of the communities they serve.

Home health care agencies are another critical element of the continuum of care in rural areas. These providers face unique circumstances in the distances they are required to travel to provide services. The current Medicare payment system does not make adequate adjustments to reflect the reality of rural and frontier health care. This bill recognizes the situation these providers face by ensuring their Medicare payments cover their costs to provide Medicare services.

As you all may know, there are approximately 1,165 hospitals nationwide that have converted to critical access hospital, CAH, status. This program was created in the Balanced Budget Act of 1997 to ensure folks in small, rural communities would have access to 24-hour emergency services as well as some hospital care in their hometowns. Fifty-two percent of my State's hospitals have downsized to Critical Access Hospital status. The measure I have introduced contains several provisions to strengthen this important rural hospital program.

The Rural Hospital and Provider Equity Act will also ensure rural areas can maintain access to important emergency medical services, EMS. Rural EMS providers are primarily volunteers who have difficulty recruiting, retaining, and educating EMS personnel. Rural EMS providers also have less capital to buy and upgrade essential, lifesaving equipment. The legislation will assist ambulance providers in collecting payments for transporting patients to the hospital after answering a 911 call regardless of the final diagnosis. This is a commonsense approach and ensures that all aspects of emergency care are operating under the same definition of emergency.

It is important for the Federal Government to remember that one payment system does not fit all. Rural providers care for patients under much different circumstances than their urban counterparts. This legislation is designed to ensure rural hospitals, rural health clinics, rural ambulance providers, rural home health agencies, rural mental health providers, rural physicians, and other critical allied health clinicians are paid accurately and fairly. I strongly encourage all my colleagues with an interest in rural health to cosponsor this legislation.

Finally, I want to thank the American Hospital Association, the National Rural Health Association, the Federation of American Hospitals, the National Association of Rural Health Clinics, the National Association for Home Care, the American Academy of

Nurse Practitioners, the American Ambulance Association, and the Association of Marriage and Family Therapists, for their work and support in this effort.

Mr. President, 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. 3500

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Rural Hospital and Provider Equity (HoPE) Act of 2006''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Fairness in the Medicare disproportionate share hospital (DSH) adjustment for rural hospitals.
Sec. 3. Extension and Expansion of Medicare hold harmless provision under the prospective payment system for hospital outpatient department (HOPD) services.
Sec. 4. Improvement of definition of low-volume hospital for purposes of the Medicare inpatient hospital payment adjustment.
Sec. 5. Extension of Medicare wage index reclassifications for certain hospitals.
Sec. 6. Extension of Medicare reasonable costs payments for certain clinical diagnostic laboratory tests furnished to hospital patients in certain rural areas.
Sec. 7. Critical access hospital improvements.
Sec. 8. Capital infrastructure revolving loan program.
Sec. 9. Extension of Medicare incentive payment program for physician scarcity areas.
Sec. 10. Extension of floor on medicare work geographic adjustment.
Sec. 11. Medicare home health care planning improvements.
Sec. 12. Rural health clinic improvements.
Sec. 13. Community health center collaborative access expansion.
Sec. 14. Applying add-on policy for home health services furnished in a rural area for 2007.
Sec. 15. Use of medical conditions for coding ambulance services.
Sec. 16. Extension of increased Medicare payments for ground ambulance services in rural areas.
Sec. 17. Improvement in payments to retain emergency and other capacity for ambulances in rural areas.
Sec. 18. Coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program.
Sec. 19. Medicare remote monitoring pilot projects.
Sec. 20. Facilitating the provision of telehealth services across State lines.

SEC. 2. FAIRNESS IN THE MEDICARE DISPROPORTIONATE SHARE HOSPITAL (DSH) ADJUSTMENT FOR RURAL HOSPITALS.

Section 1886(d)(5)(F)(xiv)(II) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(F)(xiv)(II)) is amended—

(1) by striking ''or, in the case'' and all that follows through ''subparagraph (G)(iv)''; and

(2) by inserting at the end the following new sentence: ''The preceding sentence shall not apply to any hospital with respect to discharges occurring on or after October 1, 2006.''.

SEC. 3. EXTENSION AND EXPANSION OF MEDICARE HOLD HARMLESS PROVISION UNDER THE PROSPECTIVE PAYMENT SYSTEM FOR HOSPITAL OUTPATIENT DEPARTMENT (HOPD) SERVICES.

(a) EXTENSION.—

(1) IN GENERAL.—Section 1833(t)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)), as amended by section 5105 of the Deficit Reduction Act of 2005 (Public Law 109–171), is amended—

(A) in subclause (I)—

(i) by striking ''(I)'';

(ii) by striking ''(iii)) located in a rural area'' and inserting ''(iii))''; and

(iii) by striking ''before January 1, 2006'' and inserting ''before January 1, 2009''; and

(B) by striking subclause (II).

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to covered OPD services furnished on or after January 1, 2006.

(b) STUDY AND REPORT.—

(1) STUDY.—The Secretary of Health and Human Services shall conduct a study to determine if, under the prospective payment system for hospital outpatient department services under section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)), costs incurred by sole community hospitals (as defined in section 1886(d)(5)(D)(iii) of such Act (42 U.S.C. 1395ww(d)(5)(D)(iii))) located in urban areas by ambulatory payment classification groups (APCs) exceed those costs incurred by other hospitals located in urban areas.

(2) REPORT.—Not later than January 1, 2008, the Secretary of Health and Human Services shall submit to Congress a report on the study conducted under paragraph (1) together with recommendations for such legislation and administrative action as the Secretary determines to be appropriate.

SEC. 4. IMPROVEMENT OF DEFINITION OF LOW-VOLUME HOSPITAL FOR PURPOSES OF THE MEDICARE INPATIENT HOSPITAL PAYMENT ADJUSTMENT.

Section 1886(d)(12)(C)(i) of the Social Security Act (42 U.S.C. 1395ww(d)(12)(C)(i)) is amended by inserting ''(or, beginning with fiscal year 2007, 2,000 discharges)'' after ''800 discharges''.

SEC. 5. EXTENSION OF MEDICARE WAGE INDEX RECLASSIFICATIONS FOR CERTAIN HOSPITALS.

(a) MMA PROVISION.—Section 508 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395ww note) is amended by adding at the end the following new subsection:

''(g) THREE-YEAR EXTENSION FOR CERTAIN HOSPITALS.—

''(1) IN GENERAL.—In the case of a hospital described in paragraph (2)—

''(A) subsections (a)(3) and (b) shall be applied by substituting '6-year period' for '3-year period'; and

''(B) the limitation under subsection (e) shall not apply after March 31, 2007.

''(2) HOSPITAL DESCRIBED.—A hospital described in this paragraph is a hospital—

''(A) that is reclassified to an area under this section as of the day before the date of enactment of this subsection; and

''(B)(i) that is located in a State with less than 10 people per square mile; or

''(ii)(I) that is located in a rural area; and

''(II) for which the Secretary has determined the extension under this subsection to be appropriate.''.

(b) ADDITIONAL PROVISION.—The Secretary of Health and Human Services shall extend the special exception reclassification of a sole community hospital located in a State with less than 10 people per square mile (made under the authority of section 1886(d)(5)(I)(i) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(I)(i)) and contained in the final rule promulgated by the Secretary in the Federal Register on August 11, 2004 (69 Fed. Reg. 49107)) for 3 years through fiscal year 2010.

SEC. 6. EXTENSION OF MEDICARE REASONABLE COSTS PAYMENTS FOR CERTAIN CLINICAL DIAGNOSTIC LABORATORY TESTS FURNISHED TO HOSPITAL PATIENTS IN CERTAIN RURAL AREAS.

Section 416(b) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2282; 42 U.S.C. 1395l–4(b)) is amended by striking ''2-year'' and inserting ''4-year''.

SEC. 7. CRITICAL ACCESS HOSPITAL IMPROVEMENTS.

(a) CLARIFICATION OF PAYMENT FOR CLINICAL LABORATORY TESTS FURNISHED BY CRITICAL ACCESS HOSPITALS.—

(1) IN GENERAL.—Section 1834(g)(4) of the Social Security Act (42 U.S.C. 1395m(g)(4)) is amended—

(A) in the heading, by striking ''NO BENEFICIARY COST-SHARING'' and inserting ''TREATMENT OF''; and

(B) by adding at the end the following new sentence: ''For purposes of the preceding sentence and section 1861(mm)(3), clinical diagnostic laboratory services furnished by a critical access hospital shall be treated as being furnished as part of outpatient critical access services without regard to whether—

''(A) the individual with respect to whom such services are furnished is physically present in the critical access hospital at the time the specimen is collected;

''(B) such individual is registered as an outpatient on the records of, and receives such services directly from, the critical access hospital; or

''(C) payment is (or, but for this subsection, would be) available for such services under the fee schedule established under section 1833(h).''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to cost reporting periods beginning on or after October 1, 2003.

(b) ELIMINATION OF ISOLATION TEST FOR COST-BASED AMBULANCE REIMBURSEMENT.—

(1) IN GENERAL.—Section 1834(l)(8) of the Social Security Act (42 U.S.C. 1395m(l)(8)) is amended—

(A) in subparagraph (B)—

(i) by striking ''owned and''; and

(ii) by inserting ''(including when such services are provided by the entity under an arrangement with the hospital)'' after ''hospital''; and

(B) by striking the comma at the end of subparagraph (B) and all that follows and inserting a period.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to services furnished on or after January 1, 2007.

SEC. 8. CAPITAL INFRASTRUCTURE REVOLVING LOAN PROGRAM.

(a) IN GENERAL.—Part A of title XVI of the Public Health Service Act (42 U.S.C. 300q et seq.) is amended by adding at the end the following new section:

''CAPITAL INFRASTRUCTURE REVOLVING LOAN PROGRAM

''SEC. 1603. (a) AUTHORITY TO MAKE AND GUARANTEE LOANS.—

''(1) AUTHORITY TO MAKE LOANS.—The Secretary may make loans from the fund established under section 1602(d) to any rural entity for projects for capital improvements, including—

''(A) the acquisition of land necessary for the capital improvements;

''(B) the renovation or modernization of any building;

''(C) the acquisition or repair of fixed or major movable equipment; and

''(D) such other project expenses as the Secretary determines appropriate.

''(2) AUTHORITY TO GUARANTEE LOANS.—

''(A) IN GENERAL.—The Secretary may guarantee the payment of principal and interest for loans made to rural entities for projects for any capital improvement described in paragraph (1) to any non-Federal lender.

''(B) INTEREST SUBSIDIES.—In the case of a guarantee of any loan made to a rural entity under subparagraph (A), the Secretary may pay to the holder of such loan, for and on behalf of the project for which the loan was made, amounts sufficient to reduce (by not more than 3 percent) the net effective interest rate otherwise payable on such loan.

''(b) AMOUNT OF LOAN.—The principal amount of a loan directly made or guaranteed under subsection (a) for a project for capital improvement may not exceed $5,000,000.

''(c) FUNDING LIMITATIONS.—

''(1) GOVERNMENT CREDIT SUBSIDY EXPOSURE.—The total of the Government credit subsidy exposure under the Credit Reform Act of 1990 scoring protocol with respect to the loans outstanding at any time with respect to which guarantees have been issued, or which have been directly made, under subsection (a) may not exceed $50,000,000 per year.

''(2) TOTAL AMOUNTS.—Subject to paragraph (1), the total of the principal amount of all loans directly made or guaranteed under subsection (a) may not exceed $250,000,000 per year.

''(d) CAPITAL ASSESSMENT AND PLANNING GRANTS.—

''(1) NONREPAYABLE GRANTS.—Subject to paragraph (2), the Secretary may make a grant to a rural entity, in an amount not to exceed $50,000, for purposes of capital assessment and business planning.

''(2) LIMITATION.—The cumulative total of grants awarded under this subsection may not exceed $2,500,000 per year.

''(e) TERMINATION OF AUTHORITY.—The Secretary may not directly make or guarantee any loan under subsection (a) or make a grant under subsection (d) after September 30, 2010.''.

(b) RURAL ENTITY DEFINED.—Section 1624 of the Public Health Service Act (42 U.S.C. 300s–3) is amended by adding at the end the following new paragraph:

''(15)(A) The term 'rural entity' includes—

''(i) a rural health clinic, as defined in section 1861(aa)(2) of the Social Security Act;

''(ii) any medical facility with at least 1 bed, but with less than 50 beds, that is located in—

''(I) a county that is not part of a metropolitan statistical area; or

''(II) a rural census tract of a metropolitan statistical area (as determined under the most recent modification of the Goldsmith Modification, originally published in the Federal Register on February 27, 1992 (57 Fed. Reg. 6725));

''(iii) a hospital that is classified as a rural, regional, or national referral center under section 1886(d)(5)(C) of the Social Security Act; and

''(iv) a hospital that is a sole community hospital (as defined in section 1886(d)(5)(D)(iii) of the Social Security Act).

''(B) For purposes of subparagraph (A), the fact that a clinic, facility, or hospital has been geographically reclassified under the Medicare program under title XVIII of the Social Security Act shall not preclude a hospital from being considered a rural entity under clause (i) or (ii) of subparagraph (A).''.

(c) CONFORMING AMENDMENTS.—Section 1602 of the Public Health Service Act (42 U.S.C. 300q–2) is amended—

(1) in subsection (b)(2)(D), by inserting ''or 1603(a)(2)(B)'' after ''1601(a)(2)(B)''; and

(2) in subsection (d)—

(A) in paragraph (1)(C), by striking ''section 1601(a)(2)(B)'' and inserting ''sections 1601(a)(2)(B) and 1603(a)(2)(B)''; and

(B) in paragraph (2)(A), by inserting ''or 1603(a)(2)(B)'' after ''1601(a)(2)(B)''.

SEC. 9. EXTENSION OF MEDICARE INCENTIVE PAYMENT PROGRAM FOR PHYSICIAN SCARCITY AREAS.

Section 1833(u)(1) of the Social Security Act (42 U.S.C. 1395l(u)(1)) is amended by striking ''before January 1, 2008'' and inserting ''before January 1, 2009''.

SEC. 10. EXTENSION OF FLOOR ON MEDICARE WORK GEOGRAPHIC ADJUSTMENT.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking ''before January 1, 2007'' and inserting ''before January 1, 2009''.

SEC. 11. MEDICARE HOME HEALTH CARE PLANNING IMPROVEMENTS.

(a) IN GENERAL.—Section 1814(a)(2) of the Social Security Act (42 U.S.C. 1395f(a)(2)), in the matter preceding subparagraph (A), is amended—

(1) by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)'';

(2) by inserting ''(as those terms are defined in section 1861(aa)(5))'' after ''clinical nurse specialist'';

(3) by inserting ''or home health agency (as the case may be)'' after ''facility''; and

(4) by inserting ''(or in the case of services described in subparagraph (C), a physician assistant (as defined in 1861(aa)(5)) under the supervision of a physician)'' after ''collaboration with a physician''.

(b) CONFORMING AMENDMENTS.—(1) Section 1814(a) of the Social Security Act (42 U.S.C. 1395f(a)) is amended—

(A) in paragraph (2)(C), by inserting ''a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)'' after ''physician'' each place it appears;

(B) in the second sentence, by striking ''or clinical nurse specialist'' and inserting ''clinical nurse specialist, or physician assistant'';

(C) in the third sentence—

(i) by striking ''physician certification'' and inserting ''certification'';

(ii) by inserting ''(or on January 1, 2007, in the case of regulations to implement the amendments made by section 11 of the Rural Hospital and Provider Equity (HoPE) Act of 2006)'' after ''1981''; and

(iii) by striking ''a physician who'' and inserting ''a physician, nurse practitioner, clinical nurse specialist, or physician assistant who''; and

(D) in the fourth sentence, by inserting '', nurse practitioner, clinical nurse specialist, or physician assistant'' after ''physician''.

(2) Section 1835(a) of the Social Security Act (42 U.S.C. 1395n(a)) is amended—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ''or, in the case of services described in subparagraph (A), a physician, or a nurse practitioner or clinical nurse specialist (as those terms are defined in 1861(aa)(5)), who does not have a direct or indirect employment relationship with the home health agency but is working in collaboration with a physician (or a physician assistant (as defined in 1861(aa)(5)) under the supervision of a physician)'' after ''a physician''; and

(ii) in subparagraph (A) by inserting ''a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)'' after ''physician'' each place it appears;

(B) in the third sentence, by inserting '', nurse practitioner, clinical nurse specialist, or physician assistant (as the case may be)'' after physician;

(C) in the fourth sentence—

(i) by striking ''physician certification'' and inserting ''certification'';

(ii) by inserting ''(or on January 1, 2007, in the case of regulations to implement the amendments made by section 11 of the Rural Hospital and Provider Equity (HoPE) Act of 2006)'' after ''1981''; and

(iii) by striking ''a physician who'' and inserting ''a physician, nurse practitioner, clinical nurse specialist, or physician assistant who''; and

(D) in the fifth sentence, by inserting '', nurse practitioner, clinical nurse specialist, or physician assistant'' after ''physician''.

(3) Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended—

(A) in subsection (m)—

(i) in the matter preceding paragraph (1)—

(I) by inserting '', or a nurse practitioner, clinical nurse specialist, or physician assistant (as those terms are defined in subsection (aa)(5))'' after ''physician'' the first place it appears; and

(II) by inserting ''or a nurse practitioner, clinical nurse specialist, or physician assistant'' after ''physician'' the second place it appears; and

(ii) in paragraph (3), by inserting ''or a nurse practitioner, clinical nurse specialist, or physician assistant'' after ''physician''; and

(B) in subsection (o)(2)—

(i) by inserting '', nurse practitioners, clinical nurse specialists, or physician assistants (as those terms are defined in subsection (aa)(5))'' after ''physicians''; and

(ii) by inserting '', nurse practitioner, clinical nurse specialist, physician assistant,'' after ''physician''

(4) Section 1895 of the Social Security Act (42 U.S.C. 1395fff) is amended—

(A) in subsection (c)(1), by inserting '', or the nurse practitioner, clinical nurse specialist, or physician assistant (as those terms are defined in section 1861(aa)(5)),'' after ''physician''; and

(B) in subsection (e)—

(i) in paragraph (1)(A), by inserting '', or a nurse practitioner, clinical nurse specialist, or physician assistant (as those terms are defined in section 1861(aa)(5)),'' after ''physician''; and

(ii) in paragraph (2)—

(I) in the heading, by striking ''PHYSICIAN CERTIFICATION'' and inserting ''RULE OF CONSTRUCTION REGARDING REQUIREMENT FOR CERTIFICATION''; and

(II) by striking ''physician''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after January 1, 2007.

SEC. 12. RURAL HEALTH CLINIC IMPROVEMENTS.

Section 1833(f) of the Social Security Act (42 U.S.C. 1395l(f)) is amended—

(1) in paragraph (1), by striking '', and'' at the end and inserting a semicolon;

(2) in paragraph (2)—

(A) by inserting ''(before 2007)'' after ''in a subsequent year''; and

(B) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(3) in 2007, at $82 per visit; and

''(4) in a subsequent year, at the limit established under this subsection for the previous year increased by the percentage increase in the MEI (as so defined) applicable

to primary care services (as so defined) furnished as of the first day of that year.''

SEC. 13. COMMUNITY HEALTH CENTER COLLABORATIVE ACCESS EXPANSION.

Section 330 of the Public Health Service Act (42 U.S.C. 254b) is amended by adding at the end the following:

''(s) MISCELLANEOUS PROVISIONS.—

''(1) RULE OF CONSTRUCTION WITH RESPECT TO RURAL HEALTH CLINICS.—

''(A) IN GENERAL.—Nothing in this section shall be construed to prevent a community health center from contracting with a federally certified rural health clinic (as defined by section 1861(aa)(2) of the Social Security Act) for the delivery of primary health care services that are available at the rural health clinic to individuals who would otherwise be eligible for free or reduced cost care if that individual were able to obtain that care at the community health center. Such services may be limited in scope to those primary health care services available in that rural health clinic.

''(B) ASSURANCES.—In order for a rural health clinic to receive funds under this section through a contract with a community health center under paragraph (1), such rural health clinic shall establish policies to ensure—

''(i) nondiscrimination based upon the ability of a patient to pay; and

''(ii) the establishment of a sliding fee scale for low-income patients.''.

SEC. 14. APPLYING ADD-ON POLICY FOR HOME HEALTH SERVICES FURNISHED IN A RURAL AREA FOR 2007.

Section 421 of Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2283), as amended by section 5201(b) of the Deficit Reduction Act of 2005 (Public Law 109–171), is amended—

(1) in the heading, by striking ''**ONE-YEAR**'' and inserting ''**TEMPORARY**''; and

(2) in subsection (a), by striking ''before January 1, 2007'' and inserting ''before January 1, 2008''.

SEC. 15. USE OF MEDICAL CONDITIONS FOR CODING AMBULANCE SERVICES.

Section 1834(l)(7) of the Social Security Act (42 U.S.C. 1395m(l)(7)) is amended to read as follows:

''(7) CODING SYSTEM.—

''(A) IN GENERAL.—The Secretary shall, in accordance with section 1173(c)(1)(B) and not later than January 1, 2007, establish a mandatory system or systems for the coding of claims for ambulance services for which payment is made under this subsection, including a code set specifying the medical condition of the individual who is transported and the level of service that is appropriate for the transportation of an individual with that medical condition.

''(B) MEDICAL CONDITIONS.—The code set established under subparagraph (A) shall take into account the list of medical conditions developed in the course of the negotiated rulemaking process conducted under paragraph (1).''.

SEC. 16. EXTENSION OF INCREASED MEDICARE PAYMENTS FOR GROUND AMBULANCE SERVICES IN RURAL AREAS.

Section 1834(l)(13) of the Social Security Act (42 U.S.C. 1395m(l)(13)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ''before January 1, 2007'' and inserting ''before January 1, 2008'';

(2) in subparagraph (B), in the heading, by striking ''AFTER 2006'' and inserting ''AFTER 2007''.

SEC. 17. IMPROVEMENT IN PAYMENTS TO RETAIN EMERGENCY AND OTHER CAPACITY FOR AMBULANCES IN RURAL AREAS.

(a) IN GENERAL.—Section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)) is amended by adding at the end the following new paragraph:

''(15) ADDITIONAL PAYMENTS FOR PROVIDERS FURNISHING AMBULANCE SERVICES IN RURAL AREAS.—

''(A) IN GENERAL.—In the case of ground ambulance services furnished on or after January 1, 2007, for which the transportation originates in a rural area (as determined under subparagraph (B)), the Secretary shall provide for a percent increase in the base rate of the fee schedule for a trip identified under this subsection.

''(B) IDENTIFICATION OF RURAL AREAS.—The Secretary, in consultation with the Office of Rural Health Policy, shall use the Rural-Urban Commuting Areas (RUCA) coding system, adopted by that Office, to designate rural areas for the purposes of this paragraph. A rural area is any area in RUCA levels 2 through 10 and any unclassified area.

''(C) TIERING OF RURAL AREAS.—The Secretary shall designate 4 tiers of rural areas, using a ZIP Code population-based methodology generated by the RUCA coding system, as follows:

''(i) TIER 1.—A rural area that is a high metropolitan commuting area, in which 30 percent or more of the commuting flow is to an urban area, as designated by the Bureau of the Census (RUCA level 2).

''(ii) TIER 2.—A rural area that is a low metropolitan commuting area, in which less than 30 percent of the commuting flow is to an urban area or to a large town, as designated by the Bureau of the Census (RUCA levels 3–6).

''(iii) TIER 3.—A rural area that is a small town core, as designated by the Bureau of the Census, in which no significant portion of the commuting flow is to an area of population greater than 10,000 people (RUCA levels 7–9).

''(iv) TIER 4.—A rural area in which there is no dominant commuting flow (RUCA level 10) and any unclassified area.

The Secretary shall consult with the Office of Rural Health Policy not less often than every 2 years to update the designation of rural areas in accordance with any changes that are made to the RUCA system.

''(D) PAYMENT ADJUSTMENTS FOR TRIPS IN RURAL AREAS.—The Secretary shall adjust the payment rate under this section for ambulance trips that originate in each of the tiers established in subparagraph (C) according to the national average cost of full-cost providers for providing ambulance services in each such tier.''.

(b) REVIEW OF PAYMENTS FOR RURAL AMBULANCE SERVICES AND REPORT TO CONGRESS.—

(1) REVIEW.—Not later than July 1, 2009, the Secretary of Health and Human Services shall review the system for adjusting payments for rural ambulance services under section 1834(l)(15) of the Social Security Act, as added by subsection (a), to determine the adequacy and appropriateness of such adjustments. In conducting such review, the Secretary shall consult with providers and suppliers affected by such adjustments and with representatives of the ambulance industry generally to determine—

(A) whether such adjustments adequately cover the additional costs incurred in serving areas of low population density; and

(B) whether the tiered structure for making such adjustments appropriately reflects the difference in costs of providing services in different types of rural areas.

(2) REPORT.—Not later than January 1, 2010, the Secretary shall submit to Congress a report on the review conducted under paragraph (1) together with any recommendations for revision to the systems for adjusting payments for ambulance services in rural areas that the Secretary of Health and Human Services determines appropriate.

(c) CONFORMING AMENDMENTS.—(1) Section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(16) DESIGNATION OF RURAL AREAS FOR MILEAGE PAYMENT PURPOSES.—In establishing any differential in the amount of payment for mileage between rural and urban areas in the fee schedule established under paragraph (1), the Secretary shall, in the case of ambulance services furnished on or after January 1, 2007, identify rural areas in the same manner as provided in paragraph (15)(B).''.

(2) Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2007''.

(3) Section 1834(l)(13)(A)(i) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)(i)) is amended—

(A) by inserting ''(or in the case of such services furnished in 2007, in a rural area identified by the Secretary under paragraph (15)(B))'' after ''such paragraph''; and

(B) by striking ''paragraphs (11) and (12)'' and inserting ''paragraphs (11), (12), and (15)''.

SEC. 18. COVERAGE OF MARRIAGE AND FAMILY THERAPIST SERVICES AND MENTAL HEALTH COUNSELOR SERVICES UNDER PART B OF THE MEDICARE PROGRAM.

(a) COVERAGE OF SERVICES.—

(1) IN GENERAL.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)), as amended by section 5112 of the Deficit Reduction Act of 2005 (Public Law 109–171), is amended—

(A) in subparagraph (Z), by striking ''and'' at the end;

(B) in subparagraph (AA), by inserting ''and'' at the end; and

(C) by adding at the end the following new subparagraph:

''(BB) marriage and family therapist services (as defined in subsection (ccc)(1)) and mental health counselor services (as defined in subsection (ccc)(3));''.

(2) DEFINITIONS.—Section 1861 of the Social Security Act (42 U.S.C. 1395x), as amended by section 5112 of the Deficit Reduction Act of 2005 (Public Law 109–171), is amended by adding at the end the following new subsection:

''Marriage and Family Therapist Services; Marriage and Family Therapist; Mental Health Counselor Services; Mental Health Counselor

''(ccc)(1) The term 'marriage and family therapist services' means services performed by a marriage and family therapist (as defined in paragraph (2)) for the diagnosis and treatment of mental illnesses, which the marriage and family therapist is legally authorized to perform under State law (or the State regulatory mechanism provided by State law) of the State in which such services are performed, as would otherwise be covered if furnished by a physician or as an incident to a physician's professional service, but only if no facility or other provider charges or is paid any amounts with respect to the furnishing of such services.

''(2) The term 'marriage and family therapist' means an individual who—

''(A) possesses a master's or doctoral degree which qualifies for licensure or certification as a marriage and family therapist pursuant to State law;

''(B) after obtaining such degree has performed at least 2 years of clinical supervised experience in marriage and family therapy; and

''(C) in the case of an individual performing services in a State that provides for licensure or certification of marriage and family therapists, is licensed or certified as

a marriage and family therapist in such State.

''(3) The term 'mental health counselor services' means services performed by a mental health counselor (as defined in paragraph (4)) for the diagnosis and treatment of mental illnesses which the mental health counselor is legally authorized to perform under State law (or the State regulatory mechanism provided by the State law) of the State in which such services are performed, as would otherwise be covered if furnished by a physician or as incident to a physician's professional service, but only if no facility or other provider charges or is paid any amounts with respect to the furnishing of such services.

''(4) The term 'mental health counselor' means an individual who—

''(A) possesses a master's or doctor's degree in mental health counseling or a related field;

''(B) after obtaining such a degree has performed at least 2 years of supervised mental health counselor practice; and

''(C) in the case of an individual performing services in a State that provides for licensure or certification of mental health counselors or professional counselors, is licensed or certified as a mental health counselor or professional counselor in such State.''.

(3) PROVISION FOR PAYMENT UNDER PART B.—Section 1832(a)(2)(B) of the Social Security Act (42 U.S.C. 1395k(a)(2)(B)) is amended by adding at the end the following new clause:

''(v) marriage and family therapist services and mental health counselor services;''.

(4) AMOUNT OF PAYMENT.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

(A) by striking ''and (V)'' and inserting ''(V)''; and

(B) by inserting before the semicolon at the end the following: '', and (W) with respect to marriage and family therapist services and mental health counselor services under section 1861(s)(2)(BB), the amounts paid shall be 80 percent of the lesser of the actual charge for the services or 75 percent of the amount determined for payment of a psychologist under subparagraph (L)''.

(5) EXCLUSION OF MARRIAGE AND FAMILY THERAPIST SERVICES AND MENTAL HEALTH COUNSELOR SERVICES FROM SKILLED NURSING FACILITY PROSPECTIVE PAYMENT SYSTEM.—Section 1888(e)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395yy(e)(2)(A)(ii)) is amended by inserting ''marriage and family therapist services (as defined in section 1861(ccc)(1)), mental health counselor services (as defined in section 1861(ccc)(3)),'' after ''qualified psychologist services,''.

(6) INCLUSION OF MARRIAGE AND FAMILY THERAPISTS AND MENTAL HEALTH COUNSELORS AS PRACTITIONERS FOR ASSIGNMENT OF CLAIMS.—Section 1842(b)(18)(C) of the Social Security Act (42 U.S.C. 1395u(b)(18)(C)) is amended by adding at the end the following new clauses:

''(vii) A marriage and family therapist (as defined in section 1861(ccc)(2)).

''(viii) A mental health counselor (as defined in section 1861(ccc)(4)).''.

(b) COVERAGE OF CERTAIN MENTAL HEALTH SERVICES PROVIDED IN CERTAIN SETTINGS.—

(1) RURAL HEALTH CLINICS AND FEDERALLY QUALIFIED HEALTH CENTERS.—Section 1861(aa)(1)(B) of the Social Security Act (42 U.S.C. 1395x(aa)(1)(B)) is amended by striking ''or by a clinical social worker (as defined in subsection (hh)(1)),'' and inserting '', by a clinical social worker (as defined in subsection (hh)(1)), by a marriage and family therapist (as defined in subsection (ccc)(2)), or by a mental health counselor (as defined in subsection (ccc)(4)),''.

(2) HOSPICE PROGRAMS.—Section 1861(dd)(2)(B)(i)(III) of the Social Security Act (42 U.S.C. 1395x(dd)(2)(B)(i)(III)) is amended by inserting ''or one marriage and family therapist (as defined in subsection (ccc)(2))'' after ''social worker''.

(c) AUTHORIZATION OF MARRIAGE AND FAMILY THERAPISTS TO DEVELOP DISCHARGE PLANS FOR POST-HOSPITAL SERVICES.—Section 1861(ee)(2)(G) of the Social Security Act (42 U.S.C. 1395x(ee)(2)(G)) is amended by inserting ''marriage and family therapist (as defined in subsection (ccc)(2)),'' after ''social worker,''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to services furnished on or after January 1, 2007.

SEC. 19. MEDICARE REMOTE MONITORING PILOT PROJECTS.

(a) PILOT PROJECTS.—

(1) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall conduct pilot projects under title XVIII of the Social Security Act for the purpose of providing incentives to home health agencies to utilize home monitoring and communications technologies that—

(A) enhance health outcomes for Medicare beneficiaries; and

(B) reduce expenditures under such title.

(2) SITE REQUIREMENTS.—

(A) URBAN AND RURAL.—The Secretary shall conduct the pilot projects under this section in both urban and rural areas.

(B) SITE IN A SMALL STATE.—The Secretary shall conduct at least 3 of the pilot projects in a State with a population of less than 1,000,000.

(3) DEFINITION OF HOME HEALTH AGENCY.—In this section, the term ''home health agency'' has the meaning given that term in section 1861(o) of the Social Security Act (42 U.S.C. 1395x(o)).

(b) MEDICARE BENEFICIARIES WITHIN THE SCOPE OF PROJECTS.—The Secretary shall specify the criteria for identifying those Medicare beneficiaries who shall be considered within the scope of the pilot projects under this section for purposes of the application of subsection (c) and for the assessment of the effectiveness of the home health agency in achieving the objectives of this section. Such criteria may provide for the inclusion in the projects of Medicare beneficiaries who begin receiving home health services under title XVIII of the Social Security Act after the date of the implementation of the projects.

(c) INCENTIVES.—

(1) PERFORMANCE TARGETS.—The Secretary shall establish for each home health agency participating in a pilot project under this section a performance target using one of the following methodologies, as determined appropriate by the Secretary:

(A) ADJUSTED HISTORICAL PERFORMANCE TARGET.—The Secretary shall establish for the agency—

(i) a base expenditure amount equal to the average total payments made to the agency under parts A and B of title XVIII of the Social Security Act for Medicare beneficiaries determined to be within the scope of the pilot project in a base period determined by the Secretary; and

(ii) an annual per capita expenditure target for such beneficiaries, reflecting the base expenditure amount adjusted for risk and adjusted growth rates.

(B) COMPARATIVE PERFORMANCE TARGET.—The Secretary shall establish for the agency a comparative performance target equal to the average total payments under such parts A and B during the pilot project for comparable individuals in the same geographic area that are not determined to be within the scope of the pilot project.

(2) INCENTIVE.—Subject to paragraph (3), the Secretary shall pay to each participating home care agency an incentive payment for each year under the pilot project equal to a portion of the Medicare savings realized for such year relative to the performance target under paragraph (1).

(3) LIMITATION ON EXPENDITURES.—The Secretary shall limit incentive payments under this section in order to ensure that the aggregate expenditures under title XVIII of the Social Security Act (including incentive payments under this subsection) do not exceed the amount that the Secretary estimates would have been expended if the pilot projects under this section had not been implemented.

(d) WAIVER AUTHORITY.—The Secretary may waive such provisions of titles XI and XVIII of the Social Security Act as the Secretary determines to be appropriate for the conduct of the pilot projects under this section.

(e) REPORT TO CONGRESS.—Not later than 5 years after the date that the first pilot project under this section is implemented, the Secretary shall submit to Congress a report on the pilot projects. Such report shall contain a detailed description of issues related to the expansion of the projects under subsection (f) and recommendations for such legislation and administrative actions as the Secretary considers appropriate.

(f) EXPANSION.—If the Secretary determines that any of the pilot projects under this section enhance health outcomes for Medicare beneficiaries and reduce expenditures under title XVIII of the Social Security Act, the Secretary may initiate comparable projects in additional areas.

(g) INCENTIVE PAYMENTS HAVE NO EFFECT ON OTHER MEDICARE PAYMENTS TO AGENCIES.—An incentive payment under this section—

(1) shall be in addition to the payments that a home health agency would otherwise receive under title XVIII of the Social Security Act for the provision of home health services; and

(2) shall have no effect on the amount of such payments.

SEC. 20. FACILITATING THE PROVISION OF TELEHEALTH SERVICES ACROSS STATE LINES.

(a) IN GENERAL.—For purposes of expediting the provision of telehealth services, for which payment is made under the Medicare program, across State lines, the Secretary of Health and Human Services shall, in consultation with representatives of States, physicians, health care practitioners, and patient advocates, encourage and facilitate the adoption of provisions allowing for multistate practitioner practice across State lines.

(b) DEFINITIONS.—In subsection (a):

(1) TELEHEALTH SERVICE.—The term ''telehealth service'' has the meaning given that term in subparagraph (F) of section 1834(m)(4) of the Social Security Act (42 U.S.C. 1395m(m)(4)).

(2) PHYSICIAN, PRACTITIONER.—The terms ''physician'' and ''practitioner'' have the meaning given those terms in subparagraphs (D) and (E), respectively, of such section.

(3) MEDICARE PROGRAM.—The term ''Medicare program'' means the program of health insurance administered by the Secretary of Health and Human Services under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

Mr. CONRAD. Mr. President, today I am pleased to join Senator THOMAS in introducing the Rural Hospital and Provider Equity Act, or R–HoPE. This

proposal will help shore up health care in rural areas and give rural Americans hope that health care will be available when they need it.

R–HoPE is the next step in addressing the inequities that exist in Medicare reimbursement and ensuring access to health services, like ambulance, mental health and home health care, in rural communities. The proposal has strong bipartisan support. In fact we're pleased to have over 12 cosponsors today from both sides of the aisle.

Our proposal also has broad support among provider groups including the National Rural Health Association, the American Hospital Association, the American Ambulance Association, Federation of American Hospitals, the National Association of Rural Health Clinics, National Association for Home Care and Hospice, and the American Academy of Nurse Practitioners.

As my colleagues know, prior to the Medicare Modernization Act, Medicare was shortchanging rural providers. Our reimbursement was significantly less than our urban counterparts. For example, Mercy Hospital in Devil's Lake North Dakota received half as much reimbursement for treating pneumonia as Mercy Hospital in New York City did. While I will be the first to admit that health care can be more expensive in urban areas, it certainly isn't twice the cost. And for that matter, rural hospitals don't get a ''rural discount'' when they go to buy supplies or new technology. It costs rural hospitals even more to purchase technology and supplies because they can't achieve the economies of scale that larger, more urban hospitals can.

The MMA recognized this disparity in reimbursement and took steps to close the gap. We secured over $25 billion for rural health care, but most of the changes were only temporary. Even with the MMA funding, many rural hospitals and providers continue to experience negative margins. In 2003, before the MMA passed, rural hospitals had overall Medicare margins of negative 5.4 percent—compared to negative 0.9 percent for urban providers. In its March 2006 report, the Medicare Payment Advisory Commission projected that rural hospitals would experience negative 4.5-percent margins this year. Facilities cannot continue to provide high quality services if they lose over 4 percent on every Medicare patient.

R–HoPE will help continue the progress made by the MMA and add new provisions that will protect access to rural health care.

First, it will help ensure that everyone who chooses to live in a rural community has a hospital nearby. For example, the proposal recognizes that rural facilities can't achieve the same economies of scale as large hospitals by giving extra payments to hospitals with fewer than 2,000 patients a year. R–HoPE also reinstates provisions that protect rural hospitals against losses under the current outpatient payment system. Next, the bill extends an MMA provision that has helped rural hospitals to better meet their labor costs by improving their ''wage index'' calculation. In addition, the proposal would close the gap in payments hospitals receive for serving low-income patients by giving the same level of special ''disproportionate share payments'' that urban areas enjoy. Lastly, the bill establishes a new loan program to help rural hospitals repair crumbling buildings.

Second, R–HoPE would guarantee that rural Americans can see a doctor when they are sick. As is the case with most rural States, much of North Dakota is designated as a health professional shortage area, HPSA. Recruiting doctors to these areas is very difficult, and the Medicare program recognized that extra payments are needed when it established the 10-percent physician scarcity payment for doctors who serve Medicare patients in HPSAs. R–HoPE would extend these vital bonus payments. Our proposal also extends a provision from the MMA that erases geographic inequities in physician payments.

Third, our bill would guarantee that when there is an emergency in a rural area, an ambulance is there to respond. Many rural ambulance services are closing because of low Medicare reimbursement. These services are often staffed by volunteers; few first responders are paid. R–HoPE would protect rural ambulance services by improving how Medicare pays EMS providers in rural areas. The bill also extends a 2-percent bonus payment for rural ambulance services and takes steps to reduce the number of wrongful denials of payment by Medicare contractors.

Fourth, R–HoPE helps to bolster a vital rural health care safety net provider, rural health clinics. Our bill would help preserve this important source of health care by increasing the all-inclusive payment from $63 to $82. In addition, our bill encourages rural health clinics to collaborate with community health centers to provide care in rural areas.

Fifth, R–HoPE takes a number of steps to protect the availability of home and mental health in rural areas by increasing the number of providers who are allowed to order and provide these vital services. It also extends the rural add-on payment for home health services provided in rural areas and creates a pilot project to use home monitoring technology to provide home health services.

This bill also removes barriers to telehealth. Specifically, the bill would address problems that arise when telehealth services are provided across State lines and payment is denied because the practitioner isn't licensed in the State where the patient resides.

Finally, the bill we are introducing includes two small changes to the critical access hospital, CAH, program that will put these facilities on a much sounder financial footing. These provisions would ensure CAHs could afford to provide quality ambulance care and receive fair reimbursement for lab services provided outside the hospital.

Rural America is the backbone of this country. We must not turn our backs on rural Americans and their health care needs. They have a right to the same quality health care enjoyed by other Americans. And that right is being threatened by low Medicare reimbursement and limited access to providers. R–HoPE truly gives hope to those living in rural communities by erasing the inequities in current law that impede access to care.

I want to thank my Senate colleagues who have joined in this effort, as well as the organizations who worked with us, for their cooperation in developing this important health care proposal. It is my hope that this legislation will help strengthen our rural health care system and preserve it for generations to come.

By Mr. McCAIN:

S. 3501. A bill to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program; to the Committee on Indian Affairs.

Mr. McCAIN. Mr. President, today I am introducing legislation to amend the Shivwits Band of Paiute Indian Tribe of Utah Water Rights Settlement Act 2000 in order to bring that settlement to an orderly conclusion. That act ratified a negotiated settlement of the Shivwits Band of Paiute Indian Tribe's water entitlement to flow from the Santa Clara River in Utah. The Department of the Interior requested the amendment and provided technical assistance in crafting the legislation.

As part of section 10, Water Rights Settlement, of the Shivwits Settlement Act a water rights and habitat acquisition program was authorized. Congress authorized $3.0 million to be appropriated to implement section 10. However, when the Department of the Interior attempted to implement the provision in section 10, which was intended to maintain the $3.0 million in an interest bearing account, the Treasury Department advised that the language in section 10 was insufficient for this purpose. The Treasury Department and Department of the Interior developed technical correction language to address this deficiency in the settlement act by amending the statutory language for the establishment of the acquisition fund and investment of the acquisition fund.

The bill I am introducing today will allow the Shivwits Band water rights and habitat acquisition program authorized under section 10 of the settlement act to move forward. This legislation is supported by the Department of the Interior and will fully implement the Shivwits Band of Paiute Indian Tribe of Utah Water Settlement Act of 2000. I urge my colleagues to support this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3501

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

SECTION 1. ACQUISITION FUND.

Section 10 of the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act (Public Law 106–263; 114 Stat. 743) is amended—

(1) in subsection (f), by striking the second sentence; and

(2) by adding at the end the following:

''(g) ACQUISITION FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the 'Santa Clara Water Rights and Habitat Acquisition Fund' (referred to in this section as the 'Acquisition Fund'), consisting of—

''(A) such amounts as are appropriated to the Acquisition Fund under paragraph (2); and

''(B) any income earned on investment of amounts in the Acquisition Fund under paragraph (4).

''(2) TRANSFERS TO ACQUISITION FUND.—There are appropriated to the Acquisition Fund amounts equivalent to amounts made available under subsection (f).

''(3) EXPENDITURES FROM ACQUISITION FUND.—On request by the Secretary, the Secretary of the Treasury shall transfer from the Acquisition Fund to the Secretary such amounts as the Secretary determines to be necessary to carry out this section.

''(4) INVESTMENT OF AMOUNTS.—

''(A) IN GENERAL.—On request by the Secretary, the Secretary of the Treasury shall invest such portion of the Acquisition Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

''(B) OBLIGATIONS.—Investments may be made only in public debt securities with maturities suitable to the needs of the Acquisition Fund, as determined by the Secretary, that bear interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

''(C) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under subparagraph (A), obligations may be acquired—

''(i) on original issue at the issue price; or

''(ii) by purchase of outstanding obligations at the market price.

''(D) SALE OF OBLIGATIONS.—Any obligation acquired by the Acquisition Fund may be sold by the Secretary of the Treasury at the market price.

''(E) CREDITS TO ACQUISITION FUND.—The income on, and the proceeds from the sale or redemption of, any obligations held in the Acquisition Fund shall be credited to, and form a part of, the Acquisition Fund.

''(5) TRANSFERS OF AMOUNTS.—

''(A) IN GENERAL.—The amounts required to be transferred to the Acquisition Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Acquisition Fund on the basis of estimates made by the Secretary of the Treasury.

''(B) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

''(6) MANAGEMENT.—The Acquisition Fund (including the principal of the Acquisition Fund and any interest generated on that principal) shall be managed in accordance with this section.''.

By Mr. KENNEDY (for himself, Mrs. CLINTON, and Mr. KERRY):

S. 3502. A bill to modernize the education system of the United States, to arm individuals with 21st century knowledge and skills in order to preserve the economic and national security of the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, American families face great challenges in dealing with the rapidly changing global economy. The value of their wages is declining, the cost of living is going up, and many jobs are moving overseas. More and more Americans feel the American dream is slowly slipping out of reach.

We can and must deal more effectively with this problem. We have a responsibility to make the investments that are necessary to our progress—a responsibility to our families, to our economy, to our Nation, and even to our national security.

We can guarantee America's continuing prosperity in the future, but we must work for it. We must sacrifice for it. The rest of the world is playing for keeps. We cannot just tinker at the margins if we expect to continue to be a leader in this rapidly shrinking world.

We must ensure that our citizens can achieve the American dream once again. To do so, our highest priority must be a world class education for every American. We must make the American employee and employer the best educated, best trained, and most capable in the world. We need to strengthen the capacities of every person in the Nation.

This isn't just my opinion. In recent years, study after study has emphasized education as the solution to keeping America competitive in the years to come.

Last year, the Council on Competitiveness urged a focus on lifelong skill development—through elementary, secondary and higher education, and through training and workforce support, as essential to keeping America on the cutting edge of innovation.

A recent National Academy of Sciences report contains these recommendations. Two of the report's four major recommendations state that education is the solution to meeting the global challenge.

The National Association of Manufacturers has also issued a report urging a renewed focus on education and training to keep American businesses competitive.

Other industrialized countries are embracing education as the key to competing in this new economy, but America is slipping behind. We rank 28th out of 40 nations in math education. We were 3rd in the world in 1975 in the production of new scientists and engineers, but now we rank 15th. By 2008, 6 million U.S. jobs will go unfilled because our workforce will not be qualified to fill them.

These shortcomings threaten both our economic security and our national security.

The last time America was shocked into realizing we were unacceptably behind in math and science was in 1957, when the Soviet Union launched Sputnik. To meet that crisis, Republican President Eisenhower worked closely with a Democratic Congress to pass the National Defense Education Act. The new law declared a national ''education emergency,'' and we doubled the Federal investment in education virtually overnight.

Today I join with my colleagues, Senator CLINTON and Senator KERRY, to introduce a new National Defense Education Act for our own day and generation.

To respond to this major challenge, we must ensure our education standards are internationally competitive, so that our high school graduates can succeed in the new economy. We must make a commitment to all students—regardless of the studies they choose to pursue—that cost will not be a barrier to a college degree. We must strengthen math and science education in this country by making college free for students training to become math or science teachers in high need schools.

Our New National Defense Education Act responds to each of these imperatives. It modernizes our education system and equips Americans with 21st century knowledge and skills.

It provides incentives and resources for schools to develop and implement more rigorous standards in math, science and reading.

The legislation updates the Nation's report card—the National Assessment of Educational Progress—to ensure that it sets a national benchmark which is internationally competitive and is aligned with the demands of the 21st century global economy. It expands our ability to monitor science achievement. It requires the NAEP to measure student preparedness to enter college, the 21st century workforce, or the armed services. It also requires the Secretary of Education to examine the gaps in student performance on State-level assessments and NAEP assessments, and to assist States in understanding those gaps. It provides critical resources to states to create PreK–16 Preparedness Councils to help them with their efforts to improve state standards and ensure that they are aligned with the expectations of colleges, employers, and the Armed Services. It also provides funding to States working in collaboration to establish common standards and assessments.

The New NDEA also directs resources to high need schools, to enable them to invest in math, science, engineering and technology textbooks and laboratories, and give their students equal

access to a curriculum that will provide the skills they need to be successful in the 21st century global economy.

The legislation recognizes the critical role of the National Science Foundation in ensuring our children have access to cutting-edge science and technology programs, by doubling the investment in elementary, secondary, and postsecondary education programs at NSF.

The New NDEA also helps open the doors of college to all by creating the Contract for Educational Opportunity grant program, or ''CEO Grants,'' which guarantee students that if they work hard and are admitted to college, their financial need will be met through additional State and Federal financial aid.

The legislation also offers additional grants to make college tuition free for low- and middle-income students studying science, technology, engineering or math, as well as critical-need foreign languages.

The bill provides larger grants to students studying to become teachers in these fields who agree to work in a high poverty school for at least 4 years. It also provides teachers with tax credits, increased loan forgiveness and additional incentives to continue to teach where they are needed the most. It provides grants to institutions of higher education to develop innovative programs for recruiting and training new teachers, and invests in teacher training programs to support their continuing education.

The bill recognizes that it is increasingly important for students to be exposed to other languages and cultures. In recent years, foreign language needs have significantly increased throughout the public and private sector because of the wider range of security threats, the emergence of new nation states, and the globalization of the U.S. economy. American businesses increasingly need employees experienced in foreign languages and international cultures to manage a culturally diverse workforce.

The New NDEA responds to these needs by providing grants for elementary and secondary critical-need language programs, summer institutes to improve teachers' knowledge and instruction of foreign languages and international content, and study abroad and foreign language study opportunities for high school students, and undergraduate and graduate students.

The New NDEA also continues to invest in our current workforce. The bill builds on existing formula funds for job training with competitive grants to support innovative strategies to meet emerging labor market needs.

From our earliest days as a nation, education has been the engine of the American dream. Our country is home to the greatest universities in the world, and our education system has produced the world's leading teachers, scientists, writers, musicians, and inventors. We cannot let these achievements stall. Slogans are not enough. We have to put first things first, and give children, parents, schools, communities and states the support they need to refuel the amazing engine of education and keep our country great in the years ahead.

I urge my colleagues to join us in making this strong new commitment to securing our Nation's future by supporting the New National Defense Education Act.

Mr. President, I ask unanimous consent that the text of the New National Defense Education Act 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. 3502

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 ''New National Defense Education Act of 2006''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Throughout our Nation's history, the skills and education of our workforce have been a major determinant of the standard of living of the people of the United States.

(2) Spurred into action by the launch of Sputnik, Congress passed the National Defense Education Act of 1958 (Public Law 85–864, 72 Stat. 1580). The law, now nearly 50 years old, declared a national ''educational emergency'', and Federal expenditures for education more than doubled in the 4 years after its passage. The programs authorized under the Act helped the United States to improve rapidly in mathematics, science, engineering, technology, and foreign languages and led to our dominance in the arms race and the global economy.

(3) Today, our Nation once again faces an international challenge in education: we must confront a shortage of highly skilled and educated workers, especially in mathematics, science, engineering, technology, and critical-need foreign languages. As a percentage of total first university degrees granted, the United States produced fewer graduates in mathematics, science, and engineering in 2002 than the Nation did in 1985. Currently, the United States Government requires 34,000 employees with foreign language skills in 100 languages across more than 80 Federal agencies. These trends pose a threat to our national security and our economic security.

(4) Student achievement in mathematics and science in elementary school and secondary school lags behind other nations, according to the Trends in International Mathematics and Science study and other studies, including the Programme for International Student Assessment, that recently ranked United States secondary school students 28th out of 40 first- and second-world nations, and tied with Latvia, in mathematics performance and problem solving.

(5) According to the most recent National Assessment of Educational Progress, less than 40 percent of the students in grade 4 and 30 percent of the students in grade 8, and only 17 percent of the students in grade 12, reach the proficient level in mathematics, and approximately ⅓ of the students in grades 4 and 8, and nearly ½ of the students in grade 12, do not reach the basic level in science.

(6) A State-by-State comparison of the 2005 National Assessment of Educational Progress average scale scores for 8th grade mathematics reveals that 31 States—more than ½ of the States in the Nation—scored more than 10 points (about 1 grade level) below the highest scoring State, Massachusetts.

(7) More than 200,000,000 children in China are studying English, a compulsory subject for all Chinese primary school students. By comparison, only about 24,000 of approximately 54,000,000 elementary and secondary school children in the United States are studying Chinese.

(8) There is a significant shortage of trained and qualified mathematics and science teachers in the United States. According to the National Science Board, in 2002, between 17 and 28 percent of public secondary school science teachers (depending on the specific scientific field), and 20 percent of public secondary school mathematics teachers, lacked full certification in their teaching field.

(9) More than ½ of the 20 fastest growing occupations require postsecondary degrees in mathematics or science. According to the National Science Board, out of more than 15,000,000 college students, less than 400,000 Americans a year graduate with a bachelor's degree in mathematics, science, engineering, or technology. According to the National Science Foundation, only 75,000 American undergraduate students obtain a master's degree in mathematics, science, engineering, or technology.

(10) In a 2002 Government Accountability Office report, the United States Army reported that it was experiencing serious shortfalls of translators and interpreters in 5 of its 6 critical languages: Arabic, Korean, Mandarin Chinese, Persian-Farsi, and Russian. According to the Modern Language Association, enrollment in foreign languages declined from 16 percent of college students in 1965 to 8 percent in 1974, rebounding to just 8.6 percent in 2002. Less commonly taught languages accounted for only 12 percent of all language enrollments. This means that 1 percent of American undergraduate students are studying these critical languages.

(11) In 2002, 79 percent of Americans agreed that students should have a study-abroad experience sometime during college. Only 1 percent of all United States undergraduate students studied abroad in the 2001–2002 school year.

(12) The Government Accountability Office estimates that the number of students enrolled in science, technology, engineering, or mathematics doctoral degree programs at United States institutions of higher education declined from 217,395 during the 1995–1996 academic year to 198,504 during the 2003–2004 academic year.

(13) The extent of this crisis requires a coordinated Federal response and an increased Federal investment in programs of the Department of Education and the National Science Foundation.

TITLE I—MODERNIZING AMERICA'S EDUCATION SYSTEM

Subtitle A—Prekindergarten Through Grade 16 Education

SEC. 111. PURPOSES.

The purposes of this subtitle are the following:

(1) To ensure students receive an education competitive with other industrialized countries.

(2) To assist States in improving the rigor of standards and assessments.

(3) To provide for the establishment of prekindergarten through grade 16 student preparedness councils to better link early childhood education and school readiness with elementary school success, elementary student

skills with success in secondary school, and secondary student skills and curricula, especially with respect to reading, mathematics, and science, with the demands of higher education, the 21st century workforce, and the Armed Forces, in order to—

(A) ensure that greater number of students, especially low-income and minority students, complete secondary school with the coursework and skills necessary to enter—

(i) credit-bearing coursework in higher education without the need for remediation;

(ii) high-paying employment in the 21st century workforce; or

(iii) the Armed Forces.

(4) To establish a system that encourages local educational agencies to adopt a curriculum that meets State academic content standards and student academic achievement standards and prepares all students for success in elementary school, secondary school, and post-secondary endeavors in the 21st century.

SEC. 112. DEFINITIONS.

In this subtitle:

(1) IN GENERAL.—The terms ''elementary school'', ''limited English proficient'', ''local educational agency'', ''scientifically based research'', ''secondary school'', ''Secretary'', and ''State educational agency'' have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) ACADEMIC CONTENT STANDARDS; STUDENT ACADEMIC ACHIEVEMENT STANDARDS.—The terms ''academic content standards'' and ''student academic achievement standards'', when used with respect to a particular State, mean the academic content standards and student academic achievement standards adopted by a State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)).

(3) 21ST CENTURY CURRICULUM.—The term ''21st century curriculum'' means a course of study identified by a State as preparing secondary school students for entrance into credit-bearing coursework in higher education without the need for remediation, employment in the 21st century workforce, or entrance into the Armed Forces. A State shall define the 21st century curriculum in terms of content as well as course names.

(4) END OF COURSE EXAMINATION.—The term ''end of course examination'' means an assessment of student learning given at the end of a particular course that is used to measure student learning of State academic content standards in the subject matter of the course.

(5) GRADUATION RATE.—The term ''graduation rate'' means the percentage of students who graduate from secondary school with a regular diploma in the standard number of years.

(6) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(7) PROFESSIONAL DEVELOPMENT.—The term ''professional development'' includes activities that—

(A) improve and increase teachers' knowledge of the academic subjects the teachers teach, and enable teachers to become highly qualified;

(B) are an integral part of broad educational improvement plans across the school and across the local educational agency;

(C) give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet the State academic content standards and student academic achievement standards and the 21st century curriculum demands;

(D) are high-quality, sustained, intensive, and classroom-focused, in order to have a positive and lasting effect on classroom instruction and the teacher's performance in the classroom;

(E) advance teacher understanding of effective instructional strategies that are based on scientifically based research and are directly aligned with the State academic content standards and State assessments;

(F) are designed to give teachers the knowledge and skills to provide instruction and appropriate language and academic support services to limited English proficient students and students with special needs, including the appropriate use of curricula and assessments;

(G) are, as a whole, regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development; and

(H) include instruction in the use of data and assessments to inform and instruct classroom practice.

(8) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(9) STATE ASSESSMENT.—The term ''State assessment'', when used with respect to a particular State, means the student academic assessments implemented by the State pursuant to section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)).

(10) STUDENT PREPAREDNESS.—The term ''student preparedness'' means preparedness based on the knowledge and skills that—

(A) are prerequisites for entrance into—

(i) credit-bearing coursework in higher education without the need for remediation;

(ii) the 21st century workforce; and

(iii) the Armed Forces;

(B) can be measured and verified objectively using widely accepted professional assessment standards; and

(C) are consistent with widely accepted professional assessment standards and competitive with international levels of preparedness of students for postsecondary success.

SEC. 113. ALIGNING STATE STANDARDS WITH NATIONAL BENCHMARKS.

(a) REPORT ON RESULTS OF STATE ASSESSMENTS AND NATIONAL ASSESSMENT.—Not later than 90 days after each release of the results of the National Assessment of Educational Progress (as carried out under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(2)) and section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)) in reading or mathematics (or, beginning in 2009, science) in grades 4 and 8, the Secretary shall—

(1) prepare and submit to Congress the report described in subsection (b) on the results of the State assessments and the assessments of reading and mathematics, and, beginning in 2009, science, in grades 4 and 8, required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965; and

(2) identify States with significant discrepancies in performance between the 2 assessments, as described in subsection (b)(3).

(b) CONTENTS OF REPORT.—

(1) IN GENERAL.—The report described in this subsection shall include the following information for each subject area and grade described in subsection (a)(1) in each State:

(A) The percentage of students who performed at or above the basic level on the State assessment—

(i) for the most recent applicable year;

(ii) for the preceding year; and

(iii) for the previous year in which the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 was given in such subject,

and the change in such percentages between those assessments.

(B) The percentage of students who performed at or above the proficient level on the State assessment—

(i) for the most recent applicable year;

(ii) for the preceding year; and

(iii) for the previous year in which the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 was given in such subject,

and the change in such percentages between those assessments.

(C) The percentage of students who performed at or above the basic level on the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965—

(i) for the most recent applicable year; and

(ii) for the previous such assessment,

and the change in such percentages between those assessments.

(D) The percentage of students who performed at or above the proficient level on the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965—

(i) for the most recent applicable year; and

(ii) for the previous such assessment,

and the change in such percentages between those assessments.

(E) The difference between—

(i) the percentage of students who performed at or above the basic level for the most recent applicable year on the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965; and

(ii) the percentage of students who performed at or above the basic level on the State assessment for such year.

(F) The difference between—

(i) the percentage of students who performed at or above the proficient level for the most recent applicable year on the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965; and

(ii) the percentage of students who performed at or above the proficient level on the State assessment for such year.

(2) ANALYSIS.—In addition to the information described in paragraph (1), the Secretary shall include in the report—

(A) an analysis of how the achievement of students in grades 4, 8, and 12, and the preparedness of students in grade 12 (when such data on preparedness exists from assessments described in section 303 of the National Assessment of Educational Progress Authorization Act), in the United States compares to the achievement and preparedness of students in other industrialized countries; and

(B) possible reasons for any deficiencies identified in the achievement or preparedness of United States students compared to students in other industrialized countries.

(3) RANKING.—The Secretary shall—

(A) using the information described in paragraph (1), rank the States according to the degree to which student performance on State assessments differs from performance on the assessments required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965; and

(B) identify those States with the most significant discrepancies in performance between the State assessments and the assessments required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965.

(c) REPORT ON STATE PROGRESS.—Beginning 5 years after the date of enactment of this Act, the Secretary shall include in the report described in subsection (a)(1) the following:

(1) Information about the progress made by States to decrease discrepancies in student performance on the State assessments and the assessments required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965.

(2) The differences that exist in States across subject areas and grades.

SEC. 114. NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS CHANGES.

(a) NATIONAL ASSESSMENT GOVERNING BOARD.—Section 302 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621) is amended—

(1) in subsection (a), by striking ''shall formulate'' and all that follows through the period at the end and inserting ''shall—

''(1) formulate policy guidelines for the National Assessment of Educational Progress (carried out under section 303); and

''(2) carry out, upon the request of a State, an alignment analysis (under section 304) comparing a State's academic content standards and student academic achievement standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, assessment specifications, assessment questions, and performance standards with national benchmarks reflected in the assessments authorized under this Act.'';

(2) in subsection (b)(1), by adding at the end the following:

''(O) One representative of the Armed Forces with expertise in military personnel requirements and military preparedness, who shall serve as an ex-officio, nonvoting member.'';

(3) in subsection (c), by striking paragraph (4);

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting ''and grade 12 student preparedness levels'' after ''achievement levels'';

(ii) in subparagraph (D), by inserting ''members of the business and military communities,'' after ''parents,'';

(iii) in subparagraph (E), by inserting ''and'' after ''subject matter,'';

(iv) by redesignating subparagraphs (G), (H), (I), and (J) as subparagraphs (H), (I), (K), and (L), respectively;

(v) by inserting after subparagraph (F) the following:

''(G) consistent with section 303, measure grade 12 student preparedness;'';

(vi) by inserting after subparagraph (I) (as redesignated by clause (iv)) the following:

''(J) ensure the rigor of the National Assessment of Educational Progress framework and assessments, taking into consideration—

''(i) the knowledge and skills that are prerequisite to credit-bearing coursework in higher education without the need for remediation, the 21st century workforce, and the Armed Forces; and

''(ii) rigorous international content and performance standards, and how the achievement of students in grades 4, 8, and 12, and the preparedness of students in grade 12, in the United States compare to the achievement and the preparedness of students in other industrialized countries;'';

(vii) in subparagraph (K) (as redesignated by clause (iv)), by striking ''and'' after the semicolon;

(viii) in subparagraph (L) (as redesignated by clause (iv)), by striking the period and inserting ''; and'';

(ix) by inserting after subparagraph (L) the following:

''(M) conduct an alignment analysis as described in section 304 for each State that requests such analysis.''; and

(x) in the flush matter at the end—

(I) by inserting ''for an assessment'' after ''data'';

(II) by inserting ''Assessment Board's'' after ''prior to the''; and

(III) by striking ''(J)'' and inserting ''(L)'';

(B) in paragraph (4), by inserting ''of Educational Progress'' after ''National Assessment'';

(C) in paragraph (5), in the paragraph heading, by inserting ''ADVICE'' after ''TECHNICAL''; and

(D) in paragraph (6), by inserting ''or grade 12 student preparedness levels'' after ''student achievement levels''; and

(5) in subsection (g)(1), by inserting ''of Educational Progress'' after ''National Assessment''.

(b) NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.—Section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking ''PURPOSE'' and inserting ''PURPOSES'';

(B) by striking paragraph (1) and inserting the following:

''(1) PURPOSES.—The purposes of this section are—

''(A) to provide, in a timely manner, a fair and accurate measurement of student achievement and grade 12 student preparedness in reading, mathematics, science, and other subject matter as specified in this section; and

''(B) to report trends in student achievement and grade 12 student preparedness in reading, mathematics, science, and other subject matter as specified in this section.'';

(C) in paragraph (2)—

(i) in subparagraph (B), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(ii) by striking subparagraph (C) and inserting the following:

''(C) conduct a national assessment and collect and report assessment data, including achievement and student preparedness data trends, in a valid and reliable manner on student academic achievement and student preparedness in public and private schools in reading, mathematics, and science at least once every 2 years in grade 12;'';

(iii) in subparagraph (D)—

(I) by striking ''subparagraph (B) are implemented and the requirements described in subparagraph (C) are met,'' and inserting ''subparagraphs (B) and (C) are implemented,''; and

(II) by striking ''science,'';

(iv) in subparagraph (E)—

(I) by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''; and

(II) by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(v) in subparagraph (H), by striking ''achievement data'' and inserting ''student achievement data and grade 12 student preparedness data'';

(D) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(II) in clause (ii)—

(aa) by inserting ''and grade 12 student preparedness'' after ''achievement''; and

(bb) by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''; and

(III) in clause (iv), by striking ''an evaluation'' and inserting ''a review''; and

(ii) in subparagraph (C)(ii), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(E) in paragraph (4)(B), by striking '', require, or influence'' and inserting ''or require''; and

(F) in paragraph (5)(B), by striking ''academic achievement'' and inserting ''academic achievement or grade 12 student preparedness'';

(2) in subsection (c)(3)(A), by striking ''academic achievement'' and inserting ''academic achievement or grade 12 preparedness'';

(3) in subsection (d)(3)—

(A) in subparagraph (A), by striking ''reading and mathematics in grades 4 and 8'' and inserting ''reading, mathematics, and science in grades 4 and 8''; and

(B) in subparagraph (B), by striking ''reading and mathematics assessments in grades 4 and 8'' and inserting ''reading, mathematics, and science assessments in grades 4 and 8'';

(4) in subsection (e)—

(A) in the subsection heading, by inserting ''AND GRADE 12 STUDENT PREPAREDNESS LEVELS'' after ''LEVELS'';

(B) in paragraph (1)—

(i) by striking the paragraph heading and inserting ''DEVELOPMENT.—''; and

(ii) by inserting '', and develop grade 12 student preparedness levels'' after ''subsection (b)(2)(F)'';

(C) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) STUDENT ACHIEVEMENT AND GRADE 12 PREPAREDNESS LEVELS.—

''(i) STUDENT ACHIEVEMENT LEVELS.—The student achievement levels described in paragraph (1) shall be determined by—

''(I) identifying the knowledge and skills that—

''(aa) are prerequisite to credit-bearing coursework in higher education without the need for remediation in English, mathematics, or science, participation in the 21st century workforce, and the Armed Forces or, in the case of grade 4 and grade 8 students, are prerequisite to grade 12 preparedness;

''(bb) are competitive with rigorous international content and performance standards; and

''(cc) can be measured and verified objectively using widely accepted professional assessment standards; and

''(II) developing student achievement levels that are—

''(aa) based on the knowledge and skills identified in subclause (I);

''(bb) based on the appropriate level of subject matter knowledge for the grade levels to be assessed, or the age of the students, as the case may be; and

''(cc) consistent with relevant widely accepted professional assessment standards.

''(ii) GRADE 12 STUDENT PREPAREDNESS LEVELS.—The grade 12 student preparedness levels described in paragraph (1) shall be determined by—

''(I) identifying the knowledge and skills that—

''(aa) are prerequisite to credit-bearing coursework in higher education without the need for remediation in English, mathematics, or science, participation in the 21st century workforce, and the Armed Forces;

''(bb) are competitive with rigorous international content and performance standards; and

''(cc) can be measured and verified objectively using widely accepted professional assessment standards; and

''(II) developing grade 12 student preparedness levels that are—

''(aa) based on the knowledge and skills identified in subclause (I); and

''(bb) consistent with widely accepted professional assessment standards.''; and

(ii) in subparagraph (C), by striking ''achievement levels'' and inserting ''student achievement levels and grade 12 student preparedness levels'';

(D) in paragraph (3)—

(i) by striking ''After determining that such levels'' and inserting ''After determining that the student achievement levels and grade 12 student preparedness levels''; and

(ii) by striking ''an evaluation'' and inserting ''a review''; and

(E) in paragraph (4), by inserting ''or grade 12 student preparedness levels'' after ''achievement levels''; and

(5) in subsection (f)(1)—

(A) in subparagraph (A), by inserting ''and grade 12 student preparedness levels'' after ''student achievement levels''; and

(B) in subparagraph (B)—

(i) in clause (i), by inserting ''or grade 12 student preparedness'' after ''achievement'';

(ii) in clause (ii), by inserting ''and grade 12 student preparedness levels'' after ''achievement levels'';

(iii) by striking clause (iii) and inserting the following:

''(iii) whether any authorized assessment is being administered as a random sample and is reporting the trends in student achievement or grade 12 student preparedness in a valid and reliable manner in the subject areas being assessed;'';

(iv) in clause (iv), by striking ''and'' after the semicolon;

(v) in clause (v), by striking ''and mathematical knowledge.'' and inserting ''and mathematical knowledge and scientific knowledge; and''; and

(vi) by adding at the end the following:

''(vi) whether the appropriate authorized assessments are measuring, consistent with this section, the preparedness of students in grade 12 in the United States for entry into—

''(I) credit-bearing coursework in higher education without the need for remediation in English, mathematics, or science;

''(II) the 21st century workforce; and

''(III) the Armed Forces.''.

(c) NATIONAL BENCHMARKS.—The National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.) is amended—

(1) by redesignating sections 304 and 305 as sections 305 and 306, respectively; and

(2) by inserting after section 303 the following:

''SEC. 304. NATIONAL BENCHMARKS.

''(a) PURPOSES.—The purposes of this section are—

''(1) to encourage the coordination of, and consistency between—

''(A) a State's academic content standards and student academic achievement standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, assessment specifications, and assessment questions; and

''(B) national benchmarks, as reflected in the National Assessment of Educational Progress;

''(2) to assist States in increasing the rigor of their State academic content standards, student academic achievement standards, assessment specifications, and assessment questions, to ensure that such are competitive with rigorous national and international benchmarks; and

''(3) to improve the instruction and academic achievement of students, beginning in the early grades, to ensure that secondary school graduates are well-prepared to enter—

''(A) credit-bearing coursework in higher education without the need for remediation;

''(B) the 21st century workforce; or

''(C) the Armed Forces.

''(b) ALIGNMENT ANALYSIS.—

''(1) IN GENERAL.—When the chief State school officer of a State identifies a need for, and requests the Assessment Board to conduct, an alignment analysis for the State in reading, mathematics, or science in grades 4 and 8, the Assessment Board shall perform an alignment analysis of the State's academic content standards and student academic achievement standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)), assessment specifications, and assessment questions, for the identified subject in grades 4 and 8. Such analysis shall begin not later than 180 days after the alignment analysis is requested.

''(2) ASSESSMENT BOARD RESPONSIBILITIES.—As part of the alignment analysis, the Assessment Board shall—

''(A) identify the differences between the State's academic content standards and student academic achievement standards, assessment specifications, and assessment questions for the subject identified by the State, and national benchmarks reflected in the National Assessment of Educational Progress in such subject in grades 4 and 8;

''(B) at the State's request, recommend steps for, and policy questions such State should consider regarding, the alignment of the State's academic content standards and student academic achievement standards in the identified subject, with national benchmarks reflected in the National Assessment of Educational Progress in such subject in grades 4 and 8; and

''(C) at the State's request, and in conjunction with a State prekindergarten through grade 16 student preparedness council established under section 115 of the New National Defense Education Act of 2006, assist in the development of a plan described in section 115(e)(1)(C) of such Act.

''(3) CONTRACT.—At the discretion of the Assessment Board, the Assessment Board may enter into a contract with an entity that possesses the technical expertise to conduct the analysis described in this subsection.

''(4) STATE PANEL.—The chief State school officer of a State participating in an alignment analysis described in this subsection shall appoint a panel of not less than 6 individuals to partner with the Assessment Board in conducting the alignment analysis. Such panel—

''(A) shall include—

''(i) local and State curriculum experts;

''(ii) relevant content and pedagogy experts, including representatives of entities with widely accepted national educational standards and assessments; and

''(iii) not less than 1 entity that possesses the technical expertise to assist the State in implementing standards-based reform, which may be the same entity with which the Assessment Board contracts to conduct the analysis under paragraph (3); and

''(B) may include other State and local representatives and representatives of organizations with relevant expertise.''.

(d) DEFINITION OF SECRETARY.—Section 305 of the National Assessment of Educational Progress Authorization Act (as redesignated by subsection (c)(1)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

''(2) SECRETARY.—The term 'Secretary' means the Secretary of Education.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 306(a) of the National Assessment of Educational Progress Authorization Act (as redesignated by subsection (c)(1)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) for fiscal year 2007—

''(A) $7,500,000 to carry out section 302;

''(B) $200,000,000 to carry out section 303; and

''(C) $10,000,000 to carry out section 304; and''; and

(2) in paragraph (2)—

(A) by striking ''5 succeeding'' and inserting ''4 succeeding''; and

(B) by striking ''and 303, as amended by section 401 of this Act'' and inserting '', 303, and 304''.

(f) CONFORMING CHANGES AND AMENDMENTS.—

(1) CONFORMING CHANGES TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—

(A) STATE PLANS.—Section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)) is amended by striking ''and mathematics'' and inserting '', mathematics, and science''.

(B) LOCAL EDUCATIONAL AGENCY PLANS.—Section 1112(b)(1)(F) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(b)(1)(F)) is amended by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''.

(2) CONFORMING AMENDMENT.—Section 113(a)(1) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9513(a)(1)) is amended by striking ''section 302(e)(1)(J)'' and inserting ''section 302(e)(1)(L)''.

SEC. 115. PREKINDERGARTEN THROUGH GRADE 16 STUDENT PREPAREDNESS COUNCIL GRANTS.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—From amounts appropriated under subsection (g) for a fiscal year, the Secretary is authorized to award, on a competitive basis, grants to States for the purpose of allowing the States to establish State prekindergarten through grade 16 student preparedness councils (referred to in this section as ''councils'') that—

(A) convene stakeholders within the State and create a forum for identifying and deliberating on educational issues that cut across prekindergarten through grade 12 education and higher education, and transcend any single system of education's ability to address;

(B) develop and implement a plan for improving the rigor of a State's academic content standards, student academic achievement standards, assessment specifications, and assessment questions as necessary, to ensure such standards and assessments meet national and international benchmarks as reflected in the assessments required under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(2)) or as defined by the council as necessary for success in credit-bearing coursework in higher education without the need for remediation, the 21st century workforce, or the Armed Forces;

(C) inform the design and implementation of integrated prekindergarten through grade 16 data systems, which—

(i) will allow the State to track the progress of individual students from prekindergarten through grade 12 and into higher education; and

(ii) shall be capable of being linked with appropriate databases on service in the Armed Forces and participation in the 21st century workforce; and

(D) shall develop challenging—

(i) school readiness standards;

(ii) curricula for elementary schools and middle schools; and

(iii) 21st century curricula for secondary schools.

(2) DURATION.—The Secretary shall award grants under this section for a period of not more than 5 years.

(3) EXISTING STATE COUNCIL.—A State with an existing State council may qualify for the purposes of a grant under this section if—

(A) such council—

(i) has the authority to carry out this section; and

(ii) includes the members required under subsection (b); or

(B) the State amends the membership or responsibilities of the existing council to meet the requirements of subparagraph (A).

(b) COMPOSITION.—

(1) REQUIRED MEMBERS.—The members of a council described in subsection (a) shall include—

(A) the Governor of the State or the designee of the Governor;

(B) the chief executive officer of the State public institution of higher education system, if such a position exists;

(C) the chief executive officer of the State Higher Education Coordinating Board;

(D) the chief State school officer;

(E) not less than 1 representative each from—

(i) the business community; and

(ii) the Armed Forces;

(F) a public elementary school teacher employed in the State; and

(G) a public secondary school teacher employed in the State.

(2) OPTIONAL MEMBERS.—The council described in subsection (a) may also include—

(A) a representative from—

(i) a private institution of higher education;

(ii) the Chamber of Commerce for the State;

(iii) a civic organization;

(iv) a civil rights organization;

(v) a community organization; or

(vi) an organization with expertise in world cultures;

(B) the State official responsible for economic development, if such a position exists; or

(C) a dean or similar representative for a school of education at an institution of higher education or a similar teacher certification or licensure program.

(c) TIMELINE.—A State receiving a grant under this section shall establish a council (or use or amend an existing council in accordance with subsection (a)(3)) not later than 60 days after the receipt of the grant.

(d) APPLICATION.—

(1) IN GENERAL.—Each State desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) demonstrate that the opinions of the larger education, business, and military community, including parents, students, teachers, teacher educators, principals, school administrators, and business leaders, will be represented during the determination of the State academic content standards and student academic achievement standards, assessment specifications, assessment questions, and the development of curricula, if applicable;

(B) include a comprehensive plan to provide high-quality professional development for teachers, paraprofessionals, principals, and school administrators;

(C) explain how the State will provide assistance to local educational agencies in implementing rigorous State standards through substantive curricula, including scientifically based remediation and acceleration opportunities for students; and

(D) explain how the State and the council will leverage additional State, local, and other funds to pursue curricular alignment and student success.

(e) USE OF FUNDS.—

(1) REQUIRED ACTIVITIES.—A State receiving a grant under this section shall use the grant funds to establish a council that shall carry out the following:

(A) Design and implement an integrated prekindergarten through grade 16 longitudinal data system for the State, if such system does not exist, that will allow the State to track the progress of students from prekindergarten, through grade 12, and into higher education, the 21st century workforce, and the Armed Forces. The data system shall—

(i) include—

(I) a unique statewide student identifier for each student;

(II) student-level enrollment, demographic, and program participation information, including race or ethnicity, gender, and income status;

(III) the ability to match individual students' test records from year to year to measure academic growth;

(IV) information on untested students;

(V) a teacher identifier system with the ability to match teachers to students;

(VI) student-level transcript information, including information on courses completed and grades earned;

(VII) student-level college preparedness examination scores;

(VIII) student-level graduation and dropout data;

(IX) the ability to match student records between the prekindergarten through grade 12 and the postsecondary systems;

(X) a State data audit system assessing data quality, validity, and reliability;

(XI) rates of student attendance at institutions of higher education;

(XII) rates of student enrollment and retention in the Armed Forces; and

(XIII) student nonmilitary postsecondary employment information;

(ii) to the extent possible, coordinate with other relevant State databases, such as criminal justice or social services data systems;

(iii) allow the State to analyze correlations between course-taking patterns in prekindergarten through grade 12 and outcomes after secondary school graduation, including—

(I) entry into higher education;

(II) the need for, and cost of, remediation in higher education;

(III) graduation from higher education;

(IV) entry into the 21st century workforce;

(V) entry into the Armed Forces; and

(VI) to the extent possible through linkages with appropriate databases on service in the Armed Forces and participation in the 21st century workforce, persistence in the Armed Forces and continued participation in the 21st century workforce; and

(iv) ensure that the use of any available data does not allow for the public identification of the individual student's personally identifiable information, and that all data shall be collected and maintained in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g; commonly referred to as the Family Educational Rights and Privacy Act of 1974).

(B) If an integrated prekindergarten through grade 16 longitudinal data system exists or is currently being built, ensure that it complies with the requirements described in subparagraph (A).

(C) Develop and implement a plan to increase the rigor of standards or assessments in reading, mathematics, or science in order to better align such standards or assessments with national benchmarks reflected in the National Assessment of Educational Progress in grades 4 and 8 (in accordance with the results of the alignment analysis conducted under section 304 of the National Assessment of Educational Progress Authorization Act), and in other grades to ensure the alignment of kindergarten through grade 12 standards or assessments with the revisions made in grades 4 and 8, or to align such standards or assessments with the demands of higher education, the 21st century workforce, or the Armed Forces or other national and international benchmarks identified by the council. Such plan may include—

(i) an articulation of the steps necessary—

(I) for revising the State academic content standards and student academic achievement standards, assessment specifications, and assessment questions for the identified subject; and

(II) to better align the standards and the assessment specifications and questions described in subclause (I) with—

(aa) national benchmarks as reflected in the National Assessment of Educational Progress required under section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622) for the identified subject; or

(bb) the demands of higher education, the 21st century workforce, or the Armed Forces or other national or international benchmarks identified by the council;

(ii) an articulation of the steps necessary and the process the State will undertake to revise standards or assessments, or both, in the identified subject;

(iii) a description of the partners the State will work with to revise standards or assessments, or both; and

(iv) a description of the activities the State will undertake to implement the revised standards or assessments, or both, at the State educational agency level and the local educational agency level, which activities may include—

(I) preservice and in-service teacher, paraprofessional, principal, and school administrator training;

(II) statewide meetings to provide professional development opportunities for teachers and administrators;

(III) development of curricula and instructional methods and materials;

(IV) the redesign of existing assessments, or the development or purchase of new high-quality assessments, with a focus on ensuring that such assessments are rigorous, measure significant depth of knowledge, use multiple measures and formats (such as student portfolios), and are sensitive to inquiry-based, project-based, or differentiated instruction; and

(V) other activities necessary for the effective implementation of the new State standards or assessments, or both.

(D) Analyze the State's level of prekindergarten through grade 16 curricular alignment and the success of the State's education system in preparing students for higher education, the 21st century workforce, and the Armed Forces by—

(i) using the data produced by a data system described in subparagraph (A) or (B), or other information as appropriate; and

(ii) exploring a possible agreement between the State educational agency and the higher education system in the State on a common assessment or assessments that—

(I) shall follow established guidelines to guarantee reliability and validity;

(II) shall provide adequate accommodations for students who are limited English proficient and students with disabilities; and

(III) may be a placement examination, end of course examination, college, workforce, or Armed Forces preparedness examination, or

admissions examination, that measures secondary students' preparedness to succeed in postsecondary, credit-bearing courses.

(E) If the State has an officially designated college preparatory curriculum at the time the State applies for a grant under this section—

(i) describe the extent to which students who completed the college preparatory curriculum are more or less successful than other students, including students who did not complete a college preparatory curriculum, in entering and graduating from a program of study at an institution of higher education or entering the 21st century workforce or the Armed Forces;

(ii) examine the extent to which the expectations of the college preparatory curriculum are aligned with the entry standards of the State's institutions of higher education, including whether such curriculum enables secondary school students to enter credit-bearing coursework in higher education without the need for remediation; and

(iii) examine the extent to which the curriculum allows graduates to attain the skills necessary to enter the 21st century workforce or the Armed Forces.

(F) If the State has not designated a college preparatory curriculum at the time the State applied for a grant under this section, or if the curriculum described in subparagraph (E) does not result in a higher number of students enrolling in and graduating from institutions of higher education or entering the 21st century workforce or the Armed Forces, or is not aligned with the entry standards described in subparagraph (E)(ii), develop a 21st century curriculum that—

(i) may be adopted by the local educational agencies in the State for use in secondary schools;

(ii) enables secondary school students to enter credit-bearing coursework in higher education without the need for remediation;

(iii) allows graduates to attain the skills necessary to enter the 21st century workforce or the Armed Forces;

(iv) reflects the input of teachers, principals, school administrators, and college faculty; and

(v) focuses on providing rigorous core courses that reflect the State academic content standards and student academic achievement standards.

(G) Develop and make available specific opportunities for extensive professional development for teachers, paraprofessionals, principals, and school administrators, to improve instruction and support mechanisms for students using a curriculum described in subparagraph (E) or (F).

(H) Develop a plan to provide remediation and additional learning opportunities for students below grade level to ensure that all students will have the opportunity to meet the curricular standards of a curriculum described in subparagraph (E) or (F).

(I) Use data gathered by the council to improve instructional methods, better tailor student support services, and serve as the basis for all school reform initiatives.

(J) Implement activities designed to ensure the enrollment of all students in rigorous coursework, which may include—

(i) specifying the courses and performance levels required for acceptance into public institutions of higher education;

(ii) collaborating with institutions of higher education or other State educational agencies to develop assessments aligned to State academic content standards and a curriculum described in subparagraph (E) or (F), which assessments may be used as measures of student achievement in secondary school as well as for entrance or placement at institutions of higher education;

(iii) creating ties between elementary schools and secondary schools, and institutions of higher education, to offer—

(I) accelerated learning opportunities, particularly with respect to mathematics, science, engineering, technology, and critical-need foreign languages (as determined by the Secretary under section 222) to secondary school students, which may include—

(aa) granting postsecondary credit for secondary school courses;

(bb) providing early enrollment opportunities in postsecondary education for secondary students enrolled in postsecondary-level coursework;

(cc) creating dual enrollment programs;

(dd) creating satellite secondary school campuses on the campuses of institutions of higher education; and

(ee) providing opportunities for higher education faculty who are highly qualified, as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), to teach credit-bearing postsecondary courses in secondary schools; and

(II) professional development activities for teachers, which may include—

(aa) mentoring opportunities; and

(bb) summer institutes;

(iv) expanding or creating higher education awareness programs for middle school and secondary school students;

(v) expanding opportunities for students to enroll in highly rigorous postsecondary preparatory courses, such as Advanced Placement and International Baccalaureate courses; and

(vi) developing a high-quality professional development curriculum to provide professional development opportunities for paraprofessionals, teachers, principals, and administrators.

(2) PLANNING AND IMPLEMENTATION.—A State receiving a grant under this section may use grant funds received for the first fiscal year to form the council and plan the activities described in paragraph (1). Grant funds received for subsequent fiscal years shall be used for the implementation of the activities described in such paragraph.

(f) REPORTS AND PUBLICATION.—

(1) REPORTS.—

(A) INITIAL REPORT.—Not later than 9 months after a State receives a grant under this section, the State shall submit a report to the Secretary that includes—

(i) an analysis of alignment and articulation across the State's systems of public education for prekindergarten through grade 16, including data that indicates the percent of students who—

(I) graduate from secondary school with a regular diploma in the standard number of years;

(II) complete a curriculum described in subparagraph (E) or (F) of subsection (e)(1);

(III) matriculate into an institution of higher education (disaggregated by 2-year and 4-year degree-granting programs);

(IV) are secondary school graduates who need remediation in reading, writing, mathematics, or science before pursuing credit-bearing post-secondary courses in English, mathematics, or science;

(V) persist in an institution of higher education into the second year; and

(VI) graduate from an institution of higher education within 150 percent of the expected time for degree completion (within 3 years for a 2-year degree program and within 6 years for a baccalaureate degree);

(ii) an analysis of the strengths and weaknesses of the State—

(I) in transitioning students from the prekindergarten through grade 12 education system into higher education, the 21st century workforce, and the Armed Forces; and

(II) in transitioning students from the prekindergarten through grade 12 education system into mathematics, science, engineering, technology, and critical-need foreign language degree programs at institutions of higher education;

(iii) an analysis of the quality and rigor of the State's curriculum described in subparagraph (E) or (F) of subsection (e)(1), and the accessibility of the curriculum to all students in prekindergarten through grade 12;

(iv) an analysis of the strengths and weaknesses of the State in recruiting, retaining, and supporting qualified teachers, including—

(I) whether the State needs to recruit additional teachers at the secondary level for specific subjects (such as mathematics, science, engineering and technology education, (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), and critical-need foreign languages (as determined by the Secretary under section 222)), particular schools, or local educational agencies; and

(II) recommendations on how to set and achieve goals in this pursuit; and

(v) a detailed action plan that describes how the council will accomplish the goals and tasks required by the grant under this section, including a timeline for accomplishing all activities under the grant.

(B) ANNUAL REPORTS.—Not later than 1 year following the submission of the initial report described in subparagraph (A), and annually thereafter for the duration of the grant, a State receiving a grant under this section shall prepare and submit to the Secretary a report that describes the State's progress in accomplishing the goals and tasks required by the grant, including progress on each item described in subparagraph (A). The final annual report under this subparagraph shall be submitted 1 year after the expiration of the grant.

(2) PUBLICATION.—A State submitting a report in accordance with this subsection shall publish and widely disseminate the report to the public, including posting the report on the Internet.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $200,000,000 for fiscal year 2007, and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 116. COLLABORATIVE STANDARDS AND ASSESSMENTS GRANTS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that demonstrates that it has analyzed and, where applicable, revised the State standards and assessments, through participation in a prekindergarten through grade 16 student preparedness council described in section 115 or through other State action, to ensure the standards and assessments—

(A) are aligned with the demands of the 21st century; and

(B) prepare students for entry into—

(i) credit-bearing coursework in higher education without the need for remediation;

(ii) the 21st century workforce; and

(iii) the Armed Forces

(2) ELIGIBLE CONSORTIUM.—

(A) IN GENERAL.—The term ''eligible consortium'' means a consortium of 2 or more eligible States that agrees to allow the Secretary, under subsection (e), to make available any assessment developed by the consortium under this section to a State that so requests, including a State that is not a member of the consortium.

(B) ADDITIONAL MEMBERS.—An eligible consortium may include, in addition to 2 or more eligible States, an entity with the

technical expertise to carry out a grant under this section.

(b) PROGRAM AUTHORIZED.—From amounts authorized under subsection (f), the Secretary shall award grants, on a competitive basis, to eligible consortia to enable the eligible consortia to develop common standards and assessments that—

(1) are highly rigorous, internationally competitive, and aligned with the demands of higher education, the 21st century workforce, and the Armed Forces; and

(2) in the case of assessments, set rigorous performance standards comparable to rigorous national and international benchmarks.

(c) APPLICATION.—An eligible consortium desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) REPORT.—Not later than 90 days after the end of the grant period, an eligible consortium receiving a grant under this section shall prepare and submit a report to the Secretary describing the grant activities.

(e) AVAILABILITY OF ASSESSMENTS.—The Secretary shall—

(1) make available, to a State that so requests and at no charge to the State, any rigorous, high-quality assessment developed by an eligible consortium under this section; and

(2) notify potential eligible States, at reasonable intervals, of all assessments currently under development by eligible consortia under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $75,000,000 for fiscal year 2007 and such sums as are necessary for each of the 4 succeeding fiscal years.

Subtitle B—Investing in Teachers

SEC. 121. PURPOSE.

The purpose of this subtitle is to increase the number and quality of teachers of mathematics, science, engineering and technology education, and critical-need foreign languages, in order to prepare students for entry into credit-bearing courses in higher education without the need for remediation, the 21st century workforce, and the Armed Forces.

SEC. 122. DEFINITION OF ENGINEERING AND TECHNOLOGY EDUCATION.

(a) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (19) through (43) as paragraphs (20) through (44), respectively; and

(2) by inserting after paragraph (18) the following:

''(19) ENGINEERING AND TECHNOLOGY EDUCATION.—The term 'engineering and technology education' means a curriculum and instruction that—

''(A) uses technology as a knowledge base or as a way of teaching innovation using an engineering design process and context;

''(B) develops an appreciation and fundamental understanding of technology through design skills and the use of materials, tools, processes, and limited resources;

''(C) is taught in conjunction with applied mathematics, science, language arts, fine arts, and social studies as a part of a comprehensive education;

''(D) applies the use of tools and skills employed by a globalized skilled 21st century workforce that are necessary for communication, manufacturing, construction, energy systems, biomedical systems, transportation systems, and other related fields; and

''(E) through the application of engineering principles and concepts, develops proficiency in abstract ideas and in problem-solving techniques that build a comprehensive education.''.

(b) HIGHER EDUCATION ACT OF 1965.—Section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003) is amended—

(1) by redesignating paragraphs (5) through (16) as paragraphs (6) through (17), respectively; and

(2) by inserting after paragraph (4) the following:

''(5) ENGINEERING AND TECHNOLOGY EDUCATION.—The term 'engineering and technology education' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.''.

SEC. 123. EXPANDING TEACHER LOAN FORGIVENESS.

(a) INCREASED AMOUNT; APPLICABILITY OF EXPANDED PROGRAM TO READING SPECIALIST.—Sections 428J(c)(3) and 460(c)(3) of the Higher Education Act of 1965 (20 U.S.C. 1078–10(c)(3), 1087j(c)(3)) are each amended—

(1) by striking the paragraph heading and inserting ''ADDITIONAL AMOUNTS FOR TEACHERS IN MATHEMATICS, SCIENCE, ENGINEERING AND TECHNOLOGY EDUCATION, A CRITICAL-NEED FOREIGN LANGUAGE, OR SPECIAL EDUCATION'';

(2) in the matter preceding subparagraph (A), by striking ''$17,500'' and inserting ''$23,000''; and

(3) in subparagraph (A)(ii), by striking ''or science'' and all that follows through ''; and'' and inserting '', science, engineering and technology education, or a critical-need foreign language (as determined by the Secretary under section 222 of the New National Defense Education Act of 2006), on a full-time basis; and''.

(b) ANNUAL INCREMENTS INSTEAD OF END OF SERVICE LUMP SUMS.—

(1) FFEL LOANS.—Section 428J(c) of the Higher Education Act of 1965 (20 U.S.C. 1078–10(c)) is amended by adding at the end the following:

''(4) ANNUAL INCREMENTS.—Notwithstanding paragraph (1), in the case of an individual qualifying for loan forgiveness under paragraph (3), the Secretary shall, in lieu of waiting to assume an obligation only upon completion of 5 complete years of service, assume the obligation to repay—

''(A) after each of the first and second years of service by an individual in a position qualifying under paragraph (3), 15 percent of the total amount of principal and interest of the loans described in paragraph (1) to such individual that are outstanding immediately preceding such first year of such service;

''(B) after each of the third and fourth years of such service, 20 percent of such total amount; and

''(C) after the fifth year of such service, 30 percent of such total amount.''.

(2) DIRECT LOANS.—Section 460(c) of the Higher Education Act of 1965 (20 U.S.C. 1087j(c)) is amended by adding at the end the following:

''(4) ANNUAL INCREMENTS.—Notwithstanding paragraph (1), in the case of an individual qualifying for loan cancellation under paragraph (3), the Secretary shall, in lieu of waiting to assume an obligation only upon completion of 5 complete years of service, assume the obligation to repay—

''(A) after each of the first and second years of service by an individual in a position qualifying under paragraph (3), 15 percent of the total amount of principal and interest of the loans described in paragraph (1) to such individual that are outstanding immediately preceding such first year of such service;

''(B) after each of the third and fourth years of such service, 20 percent of such total amount; and

''(C) after the fifth year of such service, 30 percent of such total amount.''.

SEC. 124. EXCLUSION FROM GROSS INCOME OF COMPENSATION OF TEACHERS AND PRINCIPALS IN CERTAIN HIGH-NEED SCHOOLS AND TEACHING HIGH-NEED SUBJECTS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139A the following new section:

''SEC. 139B. COMPENSATION OF CERTAIN TEACHERS AND PRINCIPALS.

''(a) PRINCIPALS IN HIGH-NEED SCHOOLS.—In the case of an individual employed as a principal in a high-need school during the taxable year, gross income does not include so much remuneration for such employment (which would but for this paragraph be includible in gross income) as does not exceed $15,000.

''(b) TEACHERS IN HIGH-NEED SCHOOLS AND OF HIGH-NEED SUBJECTS.—

''(1) IN GENERAL.—In the case of an individual employed as a teacher of high-need subjects and in a high-need school during the taxable year, gross income does not include so much remuneration for such employment (which would but for this paragraph be includible in gross income) as does not exceed $15,000.

''(2) TEACHER OF HIGH-NEED SUBJECTS.—For purposes of this subsection, the term 'teacher of high-need subjects' means any teacher in a public elementary or secondary school who—

''(A)(i) teaches primarily 1 or more high-need subjects in 1 or more of grades 9 through 12, or

''(ii) teaches 1 or more high-need subjects in 1 or more of grades kindergarten through 8,

''(B) received a baccalaureate or similar degree from an eligible educational institution (as defined in section 25A(f)(2)) with a major in a high-need subject, and

''(C) is highly qualified (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 or, in the case of a special education teacher, in section 602 of the Individuals with Disabilities Education Act).

''(3) HIGH-NEED SUBJECTS.—For purposes of this subsection, the term 'high-need subject' means mathematics, science, engineering and technology education, a critical-need foreign language (as determined by the Secretary of Education under section 222 of the New National Defense Education Act of 2006), special education, teaching English language learners, or any other subject identified as a high-need subject by the Secretary of Education for purposes of this section.

''(c) LIMITATION ON TOTAL REMUNERATION TAKEN INTO ACCOUNT.—In the case of any individual whose employment is described in subsections (a) and (b)(1), the total amount of remuneration which may be taken into account with respect to such employment under this section for the taxable year shall not exceed $25,000.

''(d) HIGH-NEED SCHOOL.—For purposes of this section, the term 'high-need school' means a public elementary school or secondary school that is eligible for assistance under section 1114(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(a)).''.

(b) CLERICAL AMENDMENT.—The table of sections of such part is amended by inserting after the item relating to section 139A the following new item:

''Sec. 139B. Compensation of certain teachers and principals''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to remuneration received in taxable years beginning after the date of the enactment of this Act.

SEC. 125. MATHEMATICS AND SCIENCE EDUCATION PARTNERSHIPS AND TEACHER INSTITUTES FOR THE 21ST CENTURY THROUGH THE NATIONAL SCIENCE FOUNDATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) SENSE OF THE SENATE.—It is the sense of the Senate that—

(A) the activities of the mathematics and science education partnerships of the National Science Foundation, described in section 9 of the National Science Foundation Authorization Act of 2002, meet a distinct need separate from other Federal investments in improving science, technology, engineering, and mathematics education;

(B) funding for the mathematics and science education partnerships for fiscal year 2007 should be increased to the $400,000,000 level authorized for fiscal year 2005 under section 5 of such Act, and increased by 10 percent annually for each of the fiscal years 2008 through 2011; and

(C) the increase in funding for the mathematics and science education partnerships should be in addition to any other amounts authorized or appropriated for the National Science Foundation.

(2) AUTHORIZATION OF APPROPRIATIONS FOR NSF MATHEMATICS AND SCIENCE EDUCATION PARTNERSHIPS.—There is authorized to be appropriated to the National Science Foundation for education and human resources to carry out the mathematics and science education partnerships described in section 9 of the National Science Foundation Authorization Act of 2002, in addition to the amounts authorized under section 214(b), amounts as follows:

(A) For fiscal year 2007, $400,000,000, of which $50,000,000 shall be for the teacher institutes for the 21st century under section 9(a)(3)(B) of the National Science Foundation Authorization Act of 2002.

(B) For fiscal year 2008, $440,000,000, of which $60,000,000 shall be for the teacher institutes for the 21st century under such section.

(C) For fiscal year 2009, $484,000,000, of which $70,000,000 shall be for the teacher institutes for the 21st century under such section.

(D) For fiscal year 2010, $532,400,000, of which 80,000,000 shall be for the teacher institutes for the 21st century under such section.

(E) For fiscal year 2011, $585,640,000, of which $90,000,000 shall be for the teacher institutes for the 21st century under such section.

(b) TEACHER INSTITUTES FOR THE 21ST CENTURY.—Section 9(a) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n(a)) is amended—

(1) in paragraph (3)(B), by striking ''summer or'' and inserting ''teacher institutes for the 21st century, as described in paragraph (7)'';

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following:

''(7) TEACHER INSTITUTES FOR THE 21ST CENTURY.—

''(A) IN GENERAL.—Teacher institutes for the 21st century carried out in accordance with paragraph (3)(B) shall—

''(i) be carried out in conjunction with a school served by the local educational agency in the partnership;

''(ii) be science, mathematics, engineering, and technology focused institutes that provide professional development to elementary school and secondary school teachers during the summer;

''(iii) serve teachers who are considered highly qualified (as defined in section 9101 of the Elementary and Secondary Education Act of 1965), teach high-need subjects, and teach in high-need schools (as defined in section 1114(a) of the Elementary and Secondary Education Act of 1965);

''(iv) focus on the theme and structure developed by the Director under subparagraph (C);

''(v) be content-based and build on school year curricula that are object-centered, experiment-oriented, content-based, and grounded in current research;

''(vi) ensure that any pedagogy component is designed around specific strategies that are relevant to teaching the subject and content on which teachers are being trained, which may include training teachers in the essential components of adolescent literacy instruction in order to improve student reading skills within the subject areas of mathematics, science, and engineering and technology education (as defined in section 9101 of the Elementary and Secondary Education Act of 1965);

''(vii) be a multiyear program that is conducted for a period of not less than 2 weeks per year;

''(viii) provide for direct interaction between students and faculty of the teacher institute;

''(ix) have a component that includes the use of the Internet;

''(x) provide for followup training in the classroom during the academic year for a period of not less than 3 days, which may or may not be consecutive, for participants in the teacher institute, except that for teachers in rural local educational agencies, the followup training may be provided through the Internet;

''(xi) provide teachers participating in the teacher institute with travel expense reimbursement, stipends, and classroom materials related to the teacher institute; and

''(xii) establish a mechanism to provide supplemental support during the academic year for teacher institute participants.

''(B) OPTIONAL MEMBERS OF THE PARTNERSHIP.—In addition to the partnership requirement under paragraph (2), an institution of higher education or eligible nonprofit organization (or consortia) desiring a grant for a teacher institute for the 21st century may also partner with a museum or educational partnership organization.

''(C) THEME AND STRUCTURE.—Each year, not later than 180 days before the application deadline for a grant under this section, the Director shall, in consultation with a broad group of professional education organizations, develop a theme and structure for the teacher institutes of the 21st century supported under paragraph (3)(B).''.

SEC. 126. TEACH GRANTS; RECRUITING TEACHERS WITH MATHEMATICS, SCIENCE, ENGINEERING, TECHNOLOGY, OR LANGUAGE MAJORS.

(a) TEACH GRANTS.—Title II of the Higher Education Act of 1965 (20 U.S.C. 1021 et seq.) is amended by adding at the end the following:

''PART C—TEACH GRANTS

''SEC. 231. PURPOSES.

''The purposes of this part are—

''(1) to improve student academic achievement;

''(2) to help recruit and prepare teachers to meet the national demand for a highly qualified teacher in every classroom; and

''(3) to increase opportunities for Americans of all educational, ethnic, class, and geographic backgrounds to become highly qualified teachers.

''SEC. 232. PROGRAM ESTABLISHED.

''(a) PROGRAM AUTHORITY.—

''(1) PAYMENTS REQUIRED.—For each of the fiscal years 2007 through 2014, the Secretary shall pay to each eligible institution of higher education such sums as may be necessary to pay to each eligible student (defined in accordance with section 484) who files an application and agreement in accordance with section 233, and qualifies under subsection (a)(2) of such section, a TEACH Grant in the amount of $7,000 for each academic year during which that student is in attendance at an institution of higher education.

''(2) REFERENCE.—Grants made under this part shall be known as 'Teacher Education Assistance for College and Higher Education Grants' or 'TEACH Grants'.

''(b) PAYMENT METHODOLOGY.—

''(1) PREPAYMENT.—Not less than 85 percent of such sums shall be advanced to eligible institutions prior to the start of each payment period and shall be based upon an amount requested by the institution as needed to pay eligible students until such time as the Secretary determines and publishes in the Federal Register with an opportunity for comment, an alternative payment system that provides payments to institutions in an accurate and timely manner, except that this sentence shall not be construed to limit the authority of the Secretary to place an institution on a reimbursement system of payment.

''(2) DIRECT PAYMENT.—Nothing in this section shall be interpreted to prohibit the Secretary from paying directly to students, in advance of the beginning of the academic term, an amount for which they are eligible, in cases where the eligible institution elects not to participate in the disbursement system required by paragraph (1).

''(3) DISTRIBUTION OF GRANTS TO STUDENTS.—Payments under this part shall be made, in accordance with regulations promulgated by the Secretary for such purpose, in such manner as will best accomplish the purposes of this part. Any disbursement allowed to be made by crediting the student's account shall be limited to tuition and fees and, in the case of institutionally owned housing, room and board. The student may elect to have the institution provide other such goods and services by crediting the student's account.

''(c) REDUCTIONS IN AMOUNT.—

''(1) PART-TIME STUDENTS.—In any case where a student attends an institution of higher education on less than a full-time basis (including a student who attends an institution of higher education on less than a half-time basis) during any academic year, the amount of the TEACH Grant for which that student is eligible shall be reduced in proportion to the degree to which that student is not so attending on a full-time basis, in accordance with a schedule of reductions established by the Secretary for the purpose of this part, computed in accordance with this part. Such schedule of reductions shall be established by regulation and published in the Federal Register in accordance with section 482 of this Act.

''(2) NO EXCEEDING COST OF ATTENDANCE.—No TEACH Grant for a student under this part shall exceed the cost of attendance (as defined in section 472) at the institution that such student attends. If, with respect to any student, it is determined that the amount of a TEACH Grant exceeds the cost of attendance for that year, the amount of the TEACH Grant shall be reduced until the TEACH Grant does not exceed the cost of attendance at such institution.

''(d) PERIOD OF ELIGIBILITY FOR GRANTS.—

''(1) UNDERGRADUATE STUDENTS.—The period during which an undergraduate student may receive TEACH Grants shall be the period required for the completion of the first undergraduate baccalaureate course of study being pursued by the student at the institution that the student attends, except that—

''(A) any period during which the student is enrolled in a noncredit or remedial course

of study, subject to paragraph (3), shall not be counted for the purpose of this paragraph; and

''(B) the total amount that a student may receive under this part for undergraduate study shall not exceed $28,000.

''(2) GRADUATE STUDENTS.—The period during which a graduate student pursuing a master's degree or doctoral degree may receive TEACH Grants shall be the period required for the completion of a course of study for the degree at the institution the student attends, except that the total amount that a student may receive under this part for graduate study shall not exceed $14,000 for a student pursuing a master's degree or $28,000 for a student pursuing a doctoral degree.

''(3) REMEDIAL COURSE; STUDY ABROAD.—Nothing in this section shall exclude from eligibility a course of study that is noncredit or remedial in nature (including a course in English language acquisition) if such course is determined by the institution to be necessary to help the student be prepared for the pursuit of a first undergraduate baccalaureate degree or certificate or, in the case of courses in English language instruction, to be necessary to enable the student to utilize existing knowledge, training, or skills. Nothing in this section shall exclude from eligibility a program of study abroad that is approved for credit by the home institution at which the student is enrolled.

''SEC. 233. ELIGIBILITY AND APPLICATIONS FOR GRANTS.

''(a) APPLICATIONS; DEMONSTRATION OF ELIGIBILITY.—

''(1) FILING REQUIRED.—The Secretary shall from time to time set dates by which students shall file applications for TEACH Grants under this part. Each student desiring a TEACH Grant for any year shall file an application therefore containing such information and assurances as the Secretary may deem necessary to enable the Secretary to carry out the functions and responsibilities of this part.

''(2) DEMONSTRATION OF ELIGIBILITY.—Each such application shall contain such information as is necessary to demonstrate that—

''(A) if the applicant is an enrolled student—

''(i) the student is an eligible student for purposes of section 484 (other than subsection (r) of such section);

''(ii) the student—

''(I) has a grade point average that is determined, under standards prescribed by the Secretary, to be comparable to a 3.25 average on a zero to 4.0 scale, except that, if the student is in the first year of a program of undergraduate education, such grade point average shall be determined on the basis of the student's cumulative secondary school grade point average; or

''(II) displayed high academic aptitude by receiving a score above the 75th percentile on at least 1 of the batteries in an undergraduate or graduate school admissions test; and

''(iii) the student is completing coursework and other requirements necessary to begin a career in teaching, or plans to complete such coursework and requirements prior to graduating; or

''(B) if the applicant is a current or prospective teacher applying for a grant to obtain a graduate degree—

''(i) the applicant is a teacher or a retiree from another occupation with expertise in a field in which there is a shortage of teachers, such as mathematics, science, engineering and technology education, a critical-need foreign language (as determined by the Secretary under section 222 of the New National Defense Education Act of 2006), special education, English language acquisition, or another high-need subject; or

''(ii) the applicant is or was a teacher who is using high-quality alternative certification routes, such as Teach for America, to get certified.

''(b) AGREEMENTS TO SERVE.—Each application under subsection (a) shall contain or be accompanied by an agreement by the applicant that—

''(1) the applicant will—

''(A) serve as a full-time teacher for a total of not less than 4 academic years within 8 years after completing the course of study for which the applicant receives a TEACH Grant under this part;

''(B) teach—

''(i) in a school eligible for assistance under section 1114(a) of the Elementary and Secondary Education Act of 1965; and

''(ii) in any of the following fields: mathematics, science, engineering and technology education, a critical-need foreign language (as determined by the Secretary under section 222 of the New National Defense Education Act of 2006), bilingual education, or special education, or as a reading specialist, or another field documented as high-need by the Federal Government, State government, or local educational agency and submitted to the Secretary;

''(C) submit evidence of such employment in the form of a certification by the chief administrative officer of the school upon completion of each year of such service; and

''(D) comply with the requirements for being a highly qualified teacher as defined in section 9101 of the Elementary and Secondary Education Act of 1965 or, in the case of a special education teacher, in section 602 of the Individuals With Disabilities Education Act; and

''(2) in the event that the applicant is determined to have failed or refused to carry out such service obligation, the sum of the amounts of such TEACH Grants will be treated as a loan and collected from the applicant in accordance with subsection (c) and the regulations thereunder.

''(c) REPAYMENT FOR FAILURE TO COMPLETE SERVICE.—In the event that any recipient of a TEACH Grant fails or refuses to comply with the service obligation in the agreement under subsection (b), the sum of the amounts of such TEACH Grants provided to such recipient shall be treated as a Direct Loan under part D of title IV, and shall be subject to repayment in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this part.

''SEC. 234. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $600,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

''PART D—RECRUITING TEACHERS WITH MATHEMATICS, SCIENCE, ENGINEERING, TECHNOLOGY, OR LANGUAGE MAJORS

''SEC. 241. PROGRAM AUTHORIZED.

''(a) DEFINITION OF HIGH-NEED SCHOOL.—In this section, the term 'high-need school' means a school described in section 1114(a) of the Elementary and Secondary Education Act of 1965.

''(b) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From the amounts appropriated under section 242, the Secretary shall make competitive grants to institutions of higher education to improve the availability and recruitment of teachers from among students majoring in mathematics, science, engineering, technology, a critical-need foreign language (as determined by the Secretary under section 222 of the New National Defense Education Act of 2006), special education, or teaching the English language to students with limited English proficiency.

''(2) PRIORITY.—In awarding grants under paragraph (1), the Secretary shall give priority to institutions of higher education offering programs that—

''(A) focus on preparing teachers in subjects in which there is a shortage of highly qualified teachers and increasing the number of teachers from minority or underrepresented groups; and

''(B) prepare students to teach in high-need schools.

''(c) APPLICATION.—Any institution of higher education desiring to obtain a grant under this section shall submit to the Secretary an application at such time, in such form, and containing such information and assurances as the Secretary may require, which shall—

''(1) include reporting on baseline production of teachers—

''(A) with expertise in mathematics, science, a critical-need foreign language, special education, or teaching students with limited English proficiency;

''(B) from minorities or underrepresented groups; and

''(C) who teach for 5 years or more in a high-need school; and

''(2) establish a goal and timeline for increasing the number of teachers described in each subparagraph of paragraph (1) who are prepared for teaching by the institution.

''(d) GRANT AWARD AMOUNTS.—In determining the amount of a grant award under this section to an institution of higher education, the Secretary shall consider—

''(1) the extent to which the institution—

''(A) focuses on preparing teachers in subjects in which there is a shortage of highly qualified teachers and increasing the number of teachers from minority or underrepresented groups; and

''(B) prepares students to teach in high-need schools; and

''(2) in the case of an institution that has previously received a grant under this section, the progress made by the institution in increasing the number of teachers described in subsection (c)(1), as compared to the baseline production of such teachers reported in the institution's initial application.

''(e) USE OF FUNDS.—Funds made available by a grant under this section—

''(1) shall be used to create new recruitment incentives to teaching for students from other majors, with an emphasis on high-need subjects such as mathematics, science, engineering and technology education, a critical-need foreign language, special education, and teaching the English language to students with limited English proficiency and other subjects identified as high-need by the Federal Government, State government, or local educational agency;

''(2) may be used to upgrade the curriculum in order to provide all students studying to become teachers with high-quality instructional strategies for teaching reading and teaching the English language to students with limited English proficiency, and for modifying instruction to teach students with special needs;

''(3) may be used to integrate school of education faculty with other arts and science faculty in mathematics, science, engineering, technology, a critical-need foreign language, or teaching the English language to students with limited English proficiency, through steps such as—

''(A) dual appointments for faculty between schools of education and schools of arts and science or engineering; and

''(B) integrating coursework with clinical experience;

''(4) may be used to develop strategic plans between schools of education and local educational agencies to better prepare teachers

for high-need schools, including the creation of professional development partnerships for training new teachers in state-of-the-art practice;

''(5) may be used to create pilot programs to foster collaborations at the institution of higher education between a school of science, mathematics, or engineering, or a foreign language department or language center, and a school of education in order to enable the collaborating entities to develop a 4-year program of study that would combine a baccalaureate degree in mathematics, science, engineering, or technology with concurrent teacher certification or licensure; and

''(6) may be used to develop and implement a master's degree program for current mathematics, science, or engineering and technology education teachers that—

''(A) will strengthen the participating teachers' subject area knowledge and pedagogical skills; and

''(B) shall be designed to allow a teacher to enroll in the program on a part-time basis and obtain a master's degree within a 2-year period.

''(f) REPORTS.—For each year that an institution of higher education receives a grant under this section, the institution of higher education shall prepare and submit to the Secretary an annual report documenting the baseline data regarding the teachers described in subsection (c)(1) and the progress made toward increasing the number of such teachers, as described in subsection (c)(2).

''SEC. 242. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $500,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

(b) PART A AUTHORIZATION.—Section 210 of the Higher Education Act of 1965 (20 U.S.C. 1030) is amended by striking ''$300,000,000 for fiscal year 1999'' and inserting ''$400,000,000 for fiscal year 2007''.

Subtitle C—Ensuring College Access for All

SEC. 131. CONTRACT FOR EDUCATIONAL OPPORTUNITY (CEO) GRANTS.

(a) DEFINITIONS.—In this section:

(1) COHORT.—The term ''cohort'' means a group of students in a State who are in the same grade for an identified school year.

(2) EXPECTED FAMILY CONTRIBUTION.—The term ''expected family contribution'', with respect to a student, means the student's expected family contribution as determined in accordance with part F of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.).

(3) UNMET NEED.—The term ''unmet need'', with respect to a student, means the difference between the cost of attendance (as defined in section 472 of the Higher Education Act of 1965 (20 U.S.C. 108711) to attend an institution of higher education for an academic year and the resources available to the student for such academic year, including Federal, State, and institutional financial assistance and the student's expected family contribution.

(b) PURPOSES.—The purposes of this section are—

(1) to encourage States to provide a financial aid guarantee for low-income students;

(2) to increase student academic performance and achievement;

(3) to increase public school secondary school graduation rates as well as enrollment, persistence, and graduation rates in public and private institutions of higher education, especially among low-income and underrepresented minority students; and

(4) to improve the overall quality and supply of a State's workforce.

(c) PAYMENTS TO STATES AUTHORIZED.—

(1) IN GENERAL.—The Secretary shall pay to States the Federal share, as determined under subsection (e), in order to assist the States in awarding contract for educational opportunity grants (referred to in this section as ''CEO grants''), under subsection (g) to students in a cohort who sign a contract for educational opportunity in grade 8 and satisfy the requirements of the contract. A CEO grant shall provide each such student with a need-based financial aid guarantee, in an amount equal to the student's calculated unmet need to attend a 2- or 4-year degree-granting public institution of higher education in the State, to enable the student to attend a 2- or 4-year degree-granting public or private institution of higher education in the State.

(2) MANDATORY SPENDING.—This subsection constitutes budget authority in advance of appropriations Acts and represents the obligation of the Secretary to provide for the payment of amounts provided under this subsection.

(d) APPLICATION.—

(1) IN GENERAL.—A State desiring a payment under subsection (c) shall submit, through the State agency identified in the application, to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) APPLICATION.—An application submitted under paragraph (1) shall include the following:

(A) A description of how the State will establish a State benchmark for increasing the overall public school secondary school graduation rate and the enrollment, persistence, and graduation rates at the State's 2- and 4-year degree-granting public and private institutions of higher education, as well as a description of strategies and activities the State will employ to achieve the State's set goals as reflected in the benchmark.

(B) The identification of the State agency that will administer the CEO grants program, and a description of the State agency's capacity to administer such program.

(C) A description of the entities that will contribute funds for the non-Federal share of the CEO grants program.

(D) A description of the State's academic and nonacademic components of the contract for educational opportunity, including 100 hours of community service, and how the State defines satisfactory academic progress toward completing coursework that leads to a secondary school diploma.

(E) A description of how the State agency will provide access for all students to a State curriculum that prepares the students to enter into credit-bearing coursework in higher education without the need for remediation, the 21st century workforce, or the Armed Forces.

(F) A description of how the State agency will notify students in grade 7 of their eligibility to participate in the CEO grants program and earn a CEO grant, as well as how the State will specifically target students from low-income and underrepresented minority families.

(G) A description of how the State agency will regularly communicate with a cohort from the time the students sign the contract for educational opportunity through the period that the students are eligible for CEO grants.

(H) An assurance that the State will award a CEO grant, in the amount of the student's calculated unmet need to attend a 2- or 4-year degree-granting public institution of higher education in the State, to each student who successfully meets the requirements of the contract for educational opportunity.

(I) An assurance that decisions regarding the State's higher education budget shall not lead to increases in tuition and fees at public 2- or 4-year degree-granting institutions of higher education that are greater than the Consumer Price Index.

(J) An assurance that the State shall maintain current levels of investment in State student aid programs in addition to providing the non-Federal share required under subsection (e)(4).

(e) PAYMENTS; USE OF FUNDS.—

(1) IN GENERAL.—The Secretary shall pay the Federal share of the CEO grants program, in the amount described in paragraph (4), to each State that submits a complete application pursuant to subsection (d).

(2) USE OF FUNDS.—The Federal share and non-Federal share described in paragraph (4) shall be used exclusively for awarding financial aid grants to cover the unmet need for all students in a cohort who have successfully met the components of the State's contract, except that a State may use not more than 2 percent of such funds for administrative purposes.

(3) SUBSEQUENT PAYMENTS.—

(A) IN GENERAL.—The Secretary shall make subsequent annual payments for future cohorts to States, in accordance with paragraph (4), that receive a payment under this section and that are not determined to be ineligible under subparagraph (B).

(B) INELIGIBILITY.—

(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall determine a State to be temporarily ineligible to receive a payment under subparagraph (A) if—

(I) the State fails to submit an annual report pursuant to subsection (h); or

(II) the Secretary determines, based on information submitted in the annual report submitted under subsection (h), that—

(aa) the State is not effectively meeting the terms and goals of the application; or

(bb) that the State is not making satisfactory progress toward the benchmark set forth in subsection (d)(2)(A).

(ii) INELIGIBILITY NOT TO AFFECT CERTAIN COHORTS.—A determination of ineligibility to receive subsequent payments for future cohorts under clause (i) with respect to a State shall not apply to payments for students in a cohort in the State who are in grade 8, 9, 10, 11, or 12 at the time of the determination.

(iii) REINSTATEMENT.—If the Secretary determines a State is ineligible under clause (i), the Secretary may enter into an agreement with the State setting forth the terms and conditions under which the State may regain eligibility to receive payments under this section.

(4) MATCHING REQUIREMENT.—The amount of the Federal share under this section for an academic year shall be equal to the amount of the non-Federal share provided by the State for such year. The sum of the Federal share and the non-Federal share for an academic year shall be an amount equal to the total unmet need, for the academic year, to attend a 2- or 4-year degree-granting public institution of higher education in the State, for all students in an identified cohort that complete all eligibility requirements of a contract for educational opportunity.

(f) REALLOTMENT OR REDISTRIBUTION OF FUNDS.—If funds remain for a cohort for 6 years after the cohort has graduated from secondary school, the State shall return excess Federal funds to the Secretary. Any returned excess funds shall be used by the Secretary to carry out the program under this section.

(g) CEO GRANTS.—

(1) IN GENERAL.—A State receiving a payment under subsection (c) for a cohort shall provide, in the amount determined under paragraph (3), a CEO grant to each student in the cohort who—

(A) successfully completes the requirements of the contract for educational opportunity; and

(B) enrolls in a 2- or 4-year degree-granting institution of higher education in the State not later than 2 years after receiving a secondary school diploma.

(2) CONTRACTS FOR EDUCATIONAL OPPORTUNITY.—

(A) IN GENERAL.—A student who is in a cohort for which a State is eligible for payments under subsection (c) and who desires to receive a CEO grant shall sign a contract for educational opportunity when the student begins grade 8 stating that the student will carry out all of the following by the time the student graduates from secondary school:

(i) Receive a secondary school diploma.

(ii) By the beginning of grade 11 (except as provided in subparagraph (B)), demonstrate satisfactory academic progress (as determined by the State agency) toward completing coursework that leads to a secondary school diploma.

(iii) Complete the academic components of the State contract for educational opportunity, as determined by the State agency.

(iv) Complete the nonacademic portion of the State contract for educational opportunity (as determined by the State agency), including 100 hours of community service, of which at least 50 hours of community service shall be completed before the student begins grade 11 (except as provided in subparagraph (B)).

(v) Apply for admission to a 2- or 4-year degree-granting institution of higher education in the State.

(vi) Preceding the date that the student intends to enroll in an institution of higher education, file for Federal financial aid.

(B) SPECIAL CIRCUMSTANCES.—

(i) TRANSITION.—During the academic year following the date of enactment of this Act, in the case of students in a cohort who are in grade 9, 10, 11, or 12 for such academic year, the students of such cohort shall be eligible for CEO grants if such students sign the contract for educational opportunity during the academic year and otherwise complete all of the eligibility requirements for the contract for educational opportunity under subparagraph (A) as applicable and by such time as determined by the State and approved by the Secretary.

(ii) STUDENTS WHO MOVE INTO THE STATE.—In the case of a student who moves into a State after the student begins grade 8, such student shall be eligible for a CEO grant from such State if such student signs the contract for educational opportunity at the time the student moves into the State and the student otherwise completes all of the eligibility requirements for the contract for educational opportunity under subparagraph (A), as applicable and by such time as determined by the State and approved by the Secretary.

(3) AMOUNT OF CEO GRANTS.—

(A) IN GENERAL.—A CEO grant for an academic year shall be in an amount equal to the student's calculated unmet need to attend a 2- or 4-year degree-granting public institution of higher education in the State for such year.

(B) PRIVATE INSTITUTIONS.—A CEO grant for a student who elects to enroll in a private 2- or 4-year degree-granting public institution of higher education in the State shall be in the amount described in subparagraph (A).

(4) MULTIPLE GRANTS.—

(A) IN GENERAL.—A State shall award a CEO grant to a student who meets the requirements of this section for each academic year that the student attends a 2- or 4-year degree-granting institution of higher education in the State.

(B) MAXIMUM NUMBER OF GRANTS.—During the 6-year period beginning on the date of receipt of a CEO grant under this subsection, a student who meets the requirements of this subsection shall be eligible to receive a CEO grant for each year that the student is enrolled in a 2- or 4-year degree-granting institution of higher education in the State, except that no student shall receive a total of more than 4 CEO grants.

(5) INELIGIBILITY.—A student who otherwise meets the requirements for a CEO grant shall be ineligible if the student fails to maintain an acceptable level of academic standing, as determined by the institution of higher education that the student attends, or is dismissed from the institution of higher education for disciplinary reasons.

(h) EVALUATION AND REPORT.—A State receiving a payment under subsection (c) for a cohort shall prepare and submit an annual report to the Secretary on the success of the cohort. The State report shall include the following:

(1) The following information relating to the students in the cohort who sign a contract for educational opportunity, as applicable:

(A) The participation and completion rates in the CEO grants program under this section.

(B) The public school secondary school graduation rate and how the rate relates to the established State benchmark described in subsection (d)(2).

(C) The rate of enrollment in public and private institutions of higher education and how the rate relates to the established State benchmark.

(D) The rate of persistence in public and private institutions of higher education and how the rate relates to the established State benchmark.

(E) The rate of graduation from public and private institutions of higher education and how the rate relates to the established State benchmark.

(F) Average CEO grant aid per student.

(G) A description of, and justification for, any increase in tuition and fees at the public 2- or 4-year degree-granting institutions of higher education in the State.

(2) A comparison of the rates described in subparagraphs (B) through (E) of paragraph (1) for students in the cohort who sign a contract for educational opportunity to such rates for a representative sample of students in the cohort in the State who do not sign a contract.

TITLE II—ARMING AMERICANS WITH 21ST CENTURY KNOWLEDGE AND SKILLS

Subtitle A—Increasing the Number of New American Scientists, Engineers, and Language Experts

SEC. 211. PURPOSE.

The purpose of this subtitle is to increase the number of low-income and middle-income students who pursue careers in mathematics, science, technology, engineering, and critical-need foreign languages.

SEC. 212. GRANTS FOR STRENGTHENING MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE.

(a) GRANTS FOR STRENGTHENING MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE.—Part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7241 et seq.) is amended by adding at the end the following:

"SUBPART 22—GRANTS FOR STRENGTHENING MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE

"SEC. 5621. GRANTS FOR STRENGTHENING MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE.

"(a) PURPOSE.—The purpose of this section is to improve mathematics, science, and engineering and technology education infrastructure in public elementary schools and secondary schools to facilitate improved educational opportunities for all students.

"(b) DEFINITION OF HIGH-NEED.—In this section, the term 'high-need', when used with respect to a school, means a public elementary school or secondary school that is eligible for assistance under section 1114(a) of the Elementary and Secondary Education Act of 1965.

"(c) PROGRAM AUTHORIZED.—From amounts appropriated under section 5401(b) for a fiscal year, and subject to subsection (d), the Secretary, in consultation with the Director of the National Science Foundation, shall award grants to local educational agencies to enable the local educational agencies to carry out the activities described in subsection (g).

"(d) RESERVATION OF FUNDS.—From amounts appropriated under section 5401(b) for a fiscal year, the Secretary shall reserve a total of ½ of 1 percent for the Secretary of the Interior to award grants to elementary schools and secondary schools operated or funded by the Bureau of Indian Affairs to enable such elementary schools and secondary schools to carry out the activities described in subsection (g).

"(e) APPLICATION.—

"(1) IN GENERAL.—A local educational agency desiring a grant under subsection (c) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

"(2) CONTENTS.—The application described in paragraph (1) shall include the following:

"(A) A description of the activities under subsection (g) for which assistance is sought and the costs of such activities.

"(B) A description of the process through which the local educational agency identified the activities described in subparagraph (A).

"(C) Clear principles that the local educational agency used to determine the priority of qualifying activities under this section that prioritize the use of quantitative data, such as student achievement on standardized assessments and income data, in order to give priority to projects benefiting high-need schools.

"(D) An assurance that the local educational agency will provide a complete and detailed accounting of the use of grant funds awarded to the local educational agency under this section.

"(E) A description of the evaluation process that will assess the accomplishments of the program.

"(f) APPLICATION APPROVAL.—

"(1) DETERMINATION IN CONSULTATION WITH NATIONAL SCIENCE FOUNDATION.—The Secretary shall review each application submitted under subsection (e) to determine whether the application is sufficient. In making such a determination, the Secretary shall consult with the Director of the National Science Foundation, in part to ensure that the application is coordinated with any preexisting National Science Foundation initiatives in the State.

"(2) DETERMINATION OF INSUFFICIENT APPLICATION.—If the Secretary determines that an application submitted by a local educational agency does not meet the requirements of

paragraph (1) or subsection (e), the Secretary shall provide the local educational agency with—

''(A) a written explanation of why the application did not comply with such requirements; and

''(B) an opportunity to submit an amended application.

''(3) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to local educational agencies with a high percentage of high-need schools.

''(g) REQUIRED USE OF FUNDS.—A local educational agency that receives a grant under subsection (c) shall use grant funds, in accordance with the application of the local educational agency, to carry out not less than 1 of the following:

''(1) The purchase or refurbishment of mathematics, science, and engineering and technology education equipment, including laboratory equipment.

''(2) The purchase of instructional materials or curricula with proven effectiveness in improving mathematics, science, and engineering and technology education outcomes, including age-appropriate reading materials on varying grade levels that provide poor readers with access to mathematics, science, and engineering and technology education subject matter.

''(3) Support for a science, mathematics, or engineering and technology education specialist in each school who is responsible for—

''(A) assisting in the implementation of the school's science, mathematics, or engineering and technology education program;

''(B) assisting other teachers in delivering quality instruction;

''(C) assisting in identifying and developing professional development opportunities tied to the curriculum; and

''(D) providing guidance on curricula, equipment, and other components necessary for high-quality instruction.

''(4) Any other directly related activity—

''(A) identified by the local educational agency in the application required under subsection (e); and

''(B) approved by the Secretary, in consultation with the Director of the National Science Foundation.

''(h) REPORT.—

''(1) IN GENERAL.—A local educational agency that receives a grant under this section for a fiscal year shall submit, not later than January 31 of the succeeding fiscal year, a report in such form and containing such information as the Secretary determines to be reasonably necessary to evaluate the compliance of the local educational agency with the provisions of this section.

''(2) CONTENTS.—The report described in paragraph (1) shall include the following:

''(A) A description of the activities carried out with grant funds under this section.

''(B) A complete and detailed accounting of the use of funds awarded under this section, including how the local educational agency gave priority to projects benefiting students served by high-need schools.

''(C) A description of how the local educational agency assesses the impact of the program.

''(D) A description of how students were served by the projects assisted under this section, including any expansion of inquiry-based learning opportunities, and an accounting of the approximate number of students so served.

''(E) An accounting of student academic progress made as a result of activities funded under this section, using previously established statewide academic achievement assessments in mathematics and science.

''(F) Qualitative testimony from students, teachers, administrators, or parents on the effect of activities funded under this section.

''(3) PENALTY.—A local educational agency that receives a grant under this section for a fiscal year but does not submit the report required under this subsection shall not be eligible to receive any subsequent grant funds under this section.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 5401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7241) is amended—

(1) by striking ''this part'' and inserting ''this part (excluding subpart 22)'';

(2) by striking ''There are'' and inserting the following:

''(a) GENERAL AUTHORIZATION.—There are''; and

(3) by adding at the end the following:

''(b) MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE.—There are authorized to be appropriated to carry out subpart 22, $500,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

(c) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 5618 the following:

''Subpart 22—Grants for Strengthening Mathematics, Science, and Engineering and Technology Education Infrastructure

''Sec. 5621. Grants for strengthening mathematics, science, and engineering and technology education infrastructure.''.

SEC. 213. SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, AND CRITICAL-NEED FOREIGN LANGUAGE SCHOLARS.

(a) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(b) PROGRAM AUTHORIZED.—From amounts appropriated under subsection (j) for a fiscal year, the Secretary shall carry out a program to award grants, on a competitive basis, to institutions of higher education (or consortia of such institutions) to enable the institutions of higher education (or consortia) to provide scholarships to make higher education tuition free for low-income and middle-income undergraduate and graduate students who are enrolled at the institutions of higher education to earn degrees in science, technology, engineering, mathematics, and critical-need foreign languages (as determined by the Secretary under section 222).

(c) APPLICATION.—An institution of higher education or a consortium seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) AWARD BASIS.—In awarding grants under this section, the Secretary shall give special consideration to programs that—

(1) are a central organizational focus of the institution of higher education or consortium;

(2) enable scholarship recipients to become successful members of the science, technology, engineering, mathematics, and critical-need foreign language 21st century workforce; and

(3) recruit undergraduate and graduate students, especially female and underrepresented minority students, who would otherwise not pursue careers in science, technology, engineering, mathematics, or a critical-need foreign language.

(e) USE OF FUNDS.—An institution of higher education or a consortium receiving a grant under this section shall use the grant funds to carry out a program to encourage low-income and middle-income undergraduate and graduate students enrolled at the institution of higher education, or at an institution of higher education that is a member of the consortium, respectively, to earn degrees in science, technology, engineering, mathematics, or a critical-need foreign language, through administering scholarships in accordance with subsection (f).

(f) SCHOLARSHIPS.—

(1) SCHOLARSHIP REQUIREMENTS.—Scholarships under this subsection shall be available to a student enrolled at an institution of higher education that receives a grant under this section or is a member of a consortium that receives a grant under this section—

(A)(i) whose parents have an adjusted gross income for the most recent tax year available of—

(I) less than $53,000 if single; or

(II) less than $107,000 if married; or

(ii) in the case of a student who is independent (as defined in section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), who meets the adjusted gross income requirements of clause (i); and

(B)(i) in the case of a student in the first or second year of a program of undergraduate education, who enrolls in prerequisite courses for a baccalaureate degree with a major in science, technology, engineering, mathematics, or a critical-need foreign language, as determined by the institution of higher education that the student attends;

(ii) in the case of a student who has completed 2 years of a program of undergraduate education, who is pursuing a baccalaureate degree with a major in science, technology, engineering, mathematics, or a critical-need foreign language; or

(iii) in the case of a graduate student, who is pursuing a graduate degree in science, technology, engineering, mathematics, or a critical-need foreign language.

(2) AMOUNT.—

(A) ANNUAL AMOUNT.—An institution of higher education or consortium that receives a grant under this section shall award a scholarship to a student described in paragraph (1) in an amount that does not exceed $5,500 per academic year, except that no student shall receive for any academic year an amount that is more than the cost of attendance, as determined under section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll)), at the institution where the student is enrolled for such academic year.

(B) REDUCTIONS IN AMOUNT FOR PART-TIME STUDENTS.—In any case where a student attends an institution of higher education on less than a full-time basis (including a student who attends an institution of higher education on less than a half-time basis) during any academic year, the amount of the scholarship for which that student is eligible shall be reduced in proportion to the degree to which that student is not so attending on a full-time basis, in accordance with a schedule of reductions established by the Secretary for the purpose of this section, computed in accordance with this subsection. Such schedule of reductions shall be established by regulation and published in the Federal Register in accordance with the schedule described in section 482 of the Higher Education Act of 1965 (20 U.S.C. 1089).

(C) CUMULATIVE AMOUNT.—An institution of higher education or consortium receiving a grant under this section may award an individual a scholarship under this subsection for more than 1 year, or for both undergraduate and graduate study, except that—

(i) no individual shall receive a total amount of scholarship support under this subsection for undergraduate study that is more than $22,000; and

(ii) no individual shall receive a total amount of scholarship support under this section for graduate study that is more than $22,000.

(g) CONDITIONS OF SUPPORT.—As a condition of acceptance of a scholarship under this section, a recipient shall enter into an agreement with the institution of higher education or consortium—

(1) accepting the terms of the scholarship; and

(2) agreeing to provide the awarding institution of higher education or consortium with up-to-date contact information and to participate in surveys provided by the Secretary of Education, institution of higher education, or consortium as part of an assessment program.

(h) FAILURE TO COMPLETE OBLIGATION.—

(1) GENERAL RULE.—An individual who has received a scholarship under this section shall be liable to the institution of higher education or consortium that awarded the scholarship, as well as to the United States, for the amount of the scholarship, if such individual—

(A) fails to maintain an acceptable level of academic standing in the institution of higher education in which the individual is enrolled, as determined by the institution of higher education;

(B) is dismissed from such institution for disciplinary reasons; or

(C) withdraws from the baccalaureate or graduate degree program for which the scholarship was made before the completion of such program, and does not transfer into another program that meets the requirements of subsection (f)(1)(B).

(2) EXCLUSION FROM FUTURE SCHOLARSHIPS.—If a circumstance described in paragraph (1) occurs, all of the following shall apply:

(A) NONRENEWAL OF SCHOLARSHIP.—The institution of higher education or consortium shall not renew the scholarship to the individual. However, at the discretion of the institution of higher education or consortium awarding the scholarship, an individual may regain eligibility for a scholarship under this section after completing not less than 1 academic term at the institution, if the individual—

(i) maintains an acceptable level of academic standing in the institution of higher education, as determined by the institution; and

(ii) reenrolls in the baccalaureate or graduate degree program for which the scholarship was made.

(B) INELIGIBILITY FOR FEDERAL SCHOLARSHIPS.—The individual shall become automatically ineligible to participate in any Federal scholarship programs for future years.

(3) USE OF RECOVERED SCHOLARSHIP FUNDS.—An institution of higher education or consortium that recovers funds under paragraph (1) shall use such funds to provide additional scholarships under subsection (f).

(i) DATA COLLECTION.—An institution of higher education or consortium receiving a grant under this section shall supply to the Secretary any relevant statistical and demographic data on scholarship recipients the Secretary may request.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $750,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 214. EXPANSION OF NATIONAL SCIENCE FOUNDATION EDUCATION AND HUMAN RESOURCES DIRECTORATE.

(a) PURPOSE.—The purpose of this section is to ensure the continued involvement of experts at the National Science Foundation in improving science, technology, engineering, and mathematics at the elementary, secondary, and postsecondary levels by doubling funding for the education and human resources programs of the National Science Foundation, in addition to the increases made under section 125 for the mathematics and science partnerships described in section 9 of the National Science Foundation Authorization Act of 2002 and in addition to any other amounts authorized or appropriated to the National Science Foundation.

(b) AUTHORIZATION OF APPROPRIATIONS FOR NSF EDUCATION AND HUMAN RESOURCES.—There is authorized to be appropriated to the National Science Foundation for education and human resources, in addition to the amounts authorized under section 125(a)(2), amounts as follows:

(1) For fiscal year 2007, $886,810,000.

(2) For fiscal year 2008, $1,040,110,000.

(3) For fiscal year 2009, $1,193,410,000.

(4) For fiscal year 2010, $1,346,710,000.

(5) For fiscal year 2011, $1,500,000,000.

(c) SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY TALENT EXPANSION PROGRAM.—Section 8(7)(C) of the National Science Foundation Authorization Act of 2002 (Public Law 107–368) is amended—

(1) by redesignating clauses (i) through (vi) as subclauses (I) through (VI), respectively, and indenting appropriately;

(2) by striking ''include those that promote high quality—'' and inserting ''include programs that—

''(i) promote high-quality—''; and

(3) in clause (i)—

(A) in subclause (III) (as redesignated by paragraph (1)), by striking ''for students;'' and inserting ''for students, especially underrepresented minority and female mathematics, science, engineering, and technology students;''; and

(B) in subclause (VI) (as redesignated by paragraph (1)), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

''(ii) finance summer internships for mathematics, science, engineering, and technology undergraduate students;

''(iii) facilitate smaller mathematics, science, engineering, and technology class sizes;

''(iv) facilitate the hiring of additional mathematics, science, engineering, and technology faculty;

''(v) serve as bridges to enable underrepresented minority and female secondary school students to obtain extra mathematics, science, engineering, and technology training prior to entering an institution of higher education; and

''(vi) finance mathematics, science, engineering, and technology student research activities.''.

Subtitle B—Improving Global Knowledge and Skills

SEC. 221. DEFINITIONS.

In this subtitle:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms ''local educational agency'' and ''State educational agency'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 222. CRITICAL-NEED LANGUAGES.

The Secretary shall, prior to requesting applications for grants under this subtitle during each grant cycle, consult with, and receive recommendations regarding, critical need for expertise in foreign languages and world regions from the head official, or a designee of such head official, of the National Security Council, the Department of Homeland Security, the Department of Defense, the Department of State, the Federal Bureau of Investigation, the Department of Labor, and the Department of Commerce, and the Director of National Intelligence. The Secretary shall take into account such recommendations when developing a list of critical-need languages and when requesting applications for grants under this subtitle. The Secretary shall also make available to applicants the list of the critical-need languages for the grant cycle.

SEC. 223. CRITICAL-NEED LANGUAGE PROGRAM GRANTS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State educational agency; or

(B) a partnership between a local educational agency and an institution of higher education.

(2) HIGH-NEED SCHOOL.—The term ''high-need school'' means a public elementary or secondary school that is eligible for assistance under section 1114(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(a)).

(b) PROGRAM AUTHORIZED.—The Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop programs that allow students to be exposed to and immersed in other languages and cultures from the early grades throughout the students' education.

(c) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) AWARD BASIS.—In awarding grants under this section, the Secretary shall give priority to eligible entities that will use grant funds for programs that target a high-need school.

(e) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use grant funds to carry out 1 or more of the following:

(1) Establish and maintain programs in a critical-need language (as determined by the Secretary under section 222) in the elementary schools served by the eligible entity.

(2) Offer additional or more advanced critical-need language classes in middle schools and secondary schools.

(3) Create and implement effective models of instruction in critical-need languages and world cultures.

(4) Create and maintain internationally themed schools that—

(A) offer dual language immersion programs;

(B) focus on international content; and

(C) use technology to bring the world into the classroom virtually.

(f) TECHNICAL ASSISTANCE CENTERS.—

(1) IN GENERAL.—The Secretary shall enter into contracts with entities to establish a system of regional critical-need foreign language technical assistance centers focused on developing critical-need language programs in kindergarten through grade 12 education.

(2) APPLICATION.—An entity desiring a contract under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(3) ACTIVITIES.—Each center established under this subsection shall—

(A) assist States and local educational agencies in developing critical-need language curricula; and

(B) disseminate best practices in the field.

(g) REPORT.—Not later than 90 days after the last day of the grant or contract period,

an eligible entity receiving a grant under subsection (a) or an entity receiving a contract under subsection (f) shall prepare and submit a report to the Secretary describing the supported activities.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $100,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 224. INTERNATIONAL SUMMER INSTITUTE GRANTS.

(a) PROGRAM AUTHORIZED.—The Secretary shall award grants, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to carry out summer institute programs that help teachers integrate international content into the curricula and improve the teachers' knowledge and teaching of foreign cultures.

(b) PARTNERSHIP.—In order to receive a grant under this section, an institution of higher education or a nonprofit organization (or a consortium of such institutions or organizations) shall enter into a partnership with a local educational agency to carry out the grant activities.

(c) APPLICATION.—An institution of higher education, nonprofit organization, or consortium desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) USE OF FUNDS.—An institution of higher education, nonprofit organization, or consortium receiving a grant under this section shall use grant funds to carry out 1 or more of the following:

(1) Integrate international content into existing summer institute programs.

(2) Assist States in creating new summer institutes to prepare teachers—

(A) to teach international subjects, such as world history, global economics, and geography; and

(B) to integrate international content into other subjects to improve global competence.

(e) REPORT.—Not later than 90 days after the last day of the grant period, an institution of higher education, nonprofit organization, or consortium receiving a grant under this section shall prepare and submit a report to the Secretary describing the grant activities.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $100,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 225. INTERNATIONAL AND FOREIGN LANGUAGE STUDIES.

(a) PURPOSE.—The purpose of this section is to increase study abroad and foreign language study opportunities in critical-need languages for secondary school, undergraduate, and graduate students.

(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means—

(1) an institution of higher education;

(2) a consortium of institutions of higher education;

(3) an institution of higher education in partnership with an international university;

(4) an institution of higher education in partnership with a local educational agency;

(5) a State educational agency; or

(6) a local educational agency.

(c) PROGRAM AUTHORIZED.—From amounts appropriated under this section for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to establish or strengthen foreign language study programs in critical-need languages, as determined by the Secretary under section 222.

(d) AMOUNT AND DURATION OF GRANT.—Each grant awarded under this section shall be—

(1) for an amount of not less than $500,000 for each year of the grant; and

(2) for a period of not less than 4 years.

(e) APPLICATION.—An eligible entity that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(f) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use the grant funds to establish or strengthen foreign language study programs in critical-need languages, which may include the following activities:

(1) The recruitment and retention of faculty in critical-need languages.

(2) Curriculum development.

(3) The acquisition of materials to improve instructional programs.

(4) The expansion of study abroad programs for participating students.

(5) The development of foreign language immersion programs.

(6) Summer institutes for faculty development.

(7) Bridge programs that allow dual enrollment for secondary school students in institutions of higher education.

(8) Programs to expand the understanding and knowledge of cultural, geographic, and political factors within countries with populations who speak critical-need languages.

(9) Research on, and evaluation of, the teaching of critical-need foreign languages.

(10) Participation in national programs impacting critical-need foreign languages.

(11) Data collection and analysis regarding the outcomes of various student recruitment strategies and program design and curricula approaches, and their impact on increasing—

(A) the number of students studying critical-need languages; and

(B) the fluency of the students in the languages.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $100,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

Subtitle C—Investing in Workers Through Job Training

SEC. 231. PROJECTS TO PROVIDE LITERACY, TECHNOLOGY, AND TECHNICAL SKILLS TRAINING.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(2) SMALL BUSINESS.—The term ''small business'' means a business with not more than 100 employees.

(b) PROJECTS.—The Secretary shall carry out projects to provide literacy, technology, and technical skills training for workers, including both employed and unemployed workers.

(c) GRANTS.—In carrying out projects described in subsection (b), the Secretary shall make grants to eligible partnerships.

(d) ELIGIBLE PARTNERSHIPS.—

(1) IN GENERAL.—To be eligible to receive such a grant, a partnership shall be a local or regional public-private partnership consisting of at least—

(A) 1 State or local workforce investment board established under section 111 or 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2821 or 2832) (including a consortium of such boards in a region);

(B) 1 institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965, (including a consortium of such institutions);

(C) 1 business (including a consortium of such businesses) or nonprofit employer; and

(D) 1 community-based organization, labor union, trade association, or other intermediary.

(2) DESIGNATION OF RESPONSIBLE FISCAL AGENTS.—Each partnership described in paragraph (1) shall designate a responsible fiscal agent to receive and disburse grant funds under this section.

(e) TRAINING.—

(1) PARTICIPANTS.—A partnership that receives a grant under subsection (c) shall provide training through a project described in subsection (b) to persons who are employed and who wish to obtain and upgrade skills to qualify for existing jobs (as of the date such training begins) and to persons who are unemployed.

(2) PREPARATION.—Such training shall, to the extent practicable, include the preparation of workers for a broad range of positions along a career ladder.

(f) START-UP ACTIVITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), not more than 5 percent, or $75,000, whichever is less, of the funds made available through a single grant made under this section may be used toward the start-up costs of a partnership or training project.

(2) EXCEPTION.—In the case of partnerships consisting primarily of small businesses, not more than 10 percent, or $150,000, whichever is less, of the funds made available through a single grant made under this section may be used toward the start-up costs of a partnership or training project.

(3) DURATION OF START-UP PERIOD.—For purposes of this subsection, a start-up period consists of a period of not more than 1 month, beginning on the first day of the grant period. At the end of the start-up period, training shall immediately begin and no further Federal funds may be used for start-up costs.

(g) APPLICATIONS.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a partnership shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) CONTENTS.—Each application for such a grant shall—

(A) provide evidence of the need for the training to be provided through the grant, by providing evidence of skill shortages in existing or emerging industries as demonstrated through reliable regional, State, or local data;

(B) articulate the level of skills that workers will be trained for and the manner by which attainment of those skills will be measured; and

(C) include an agreement that the project will be subject to evaluation by the Secretary to measure the effectiveness of the project.

(3) MATCHING FUNDS.—Each application for a grant to carry out a project described in subsection (b) shall state the manner by which the partnership will—

(A) make available, with respect to the costs to be incurred by the partnership in carrying out the project, non-Federal contributions (in cash or in kind) in an amount equal to not less than 50 percent of the Federal funds provided under the grant; and

(B) make the contributions available directly or through donations from public or private entities, and ensure that at least ½ of the contributions will be from businesses or nonprofit employers involved in the partnership.

(h) CONSIDERATIONS.—

(1) PROJECTS WITH COMMITMENTS.—In making grants under this section, the Secretary shall give consideration to an applicant that

provides a specific, measurable commitment—

(A) upon successful completion of a training course by a participant—

(i) who is unemployed, to hire or effectuate the hiring of the participant (where applicable);

(ii) who is an incumbent worker, to increase the wages or salary of the worker (where applicable); or

(iii) to provide skill certification to the participant;

(B) to provide training that is linked to industry-accepted occupational skill standards, certificates, or licensing requirements; or

(C) to provide a project that will lead to attainment of baccalaureate or associate degrees.

(2) EXPANDED AND COLLABORATIVE PROJECTS.—In making grants under this section, the Secretary shall give consideration to an applicant that proposes to use grant funds—

(A) to demonstrate a significant ability to expand a training project through such means as training more workers or offering more courses; and

(B) to carry out a training project resulting from a collaboration, especially with more than 1 small business or with an entity carrying out a labor-management training project.

(3) PARTNERSHIPS INVOLVING SMALL BUSINESSES.—In making grants under this section, the Secretary shall give consideration to an applicant that involves and directly benefits more than 1 small business.

(4) DONATIONS FROM PUBLIC OR PRIVATE ENTITIES.—In making grants under this section, the Secretary shall give consideration to an applicant that provides a specific commitment that a portion of the non-Federal contribution described in subsection (g)(3) will be made available through donations from other public or private entities, so as to demonstrate the long-term sustainability of the project after the expiration of the grant period involved.

(i) ADMINISTRATIVE COSTS.—A partnership that receives a grant to carry out a project described in subsection (b) may not use more than 10 percent of the funds made available through the grant to pay for administrative costs associated with the project.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $300,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

By Mr. AKAKA:

S. 3506. A bill to prohibit the unauthorized removal or use of personal information contained in a database owned, operated, or maintained by the Federal government; to the Committee on the Judiciary.

Mr. AKAKA. Mr. President, I am introducing the Data Theft Prevention Act of 2006 in response to concerns that arose following the recent theft of computer equipment from the home of a Department of Veterans Affairs employee in early May. I would like to thank my friends Senator SCHUMER, Senator MURRAY, and Senator CLINTON for being original cosponsors of this legislation.

The stolen equipment contained personal information on as many as 26.5 million veterans, Active Duty, National Guard and Reserve personnel. These files had been downloaded from VA databases over a period of 3 years by the employee without any authorization, then taken out of VA and placed on personal computer equipment at the employee's home.

I am sure my colleagues will be as alarmed as I was when I tell them that this unauthorized removal of the personal information from the Department of Veterans Affairs was not an illegal act. In fact, I was told by VA's inspector general that the employee's only misdeed was of a recently established VA Security Guideline, which only carries the weight of suggested employee behavior. Despite VA's efforts to provide cyber security for the myriad of databases the Department controls, at the time of the theft there was no policy or law in place to prevent or deter an unauthorized act.

The legislation I am introducing today would establish Federal penalties for anyone, whether a government employee or government contractor, who knowingly and without authorization views, uses, downloads, or removes any means of identification or individually identifiable health information that is in a Federal database. Although the incident which triggered my present concerns occurred in VA, this legislation would apply to all Federal departments and agencies. The legislation would also penalize those who would use any such personal information for criminal purposes.

This legislation is intended to compliment existing Federal personal information security policies and to emphasize the need for all Federal departments and agencies to review existing policies and clearly lay out who is and isn't authorized to use, view, or download personal information.

This legislation would send the clear message that anyone who knowingly and without authorization removes personal or health information from a Federal database does so at their own risk.

VA Secretary Nicholson testified last week before the House Government Reform Committee that he thought that there should be consideration of "putting some kind of teeth in an enforcement mechanism for the compromising and careless and negligent handling of personal information." This measure would do just that.

If enacted, violation of the provisions of this law could result in a fine of up to $100,000, imprisonment for 1 year, or both. These penalties are similar to those which currently apply to Internal Revenue Service employees who are responsible for breaches of tax information.

Given the potential impact to our veterans, Active Duty, National Guard, and Reserve personnel through identity theft and the incredible disruption and costs incurred by the government from the theft of the VA data, it is vital that we take steps to deter any future incidents and hold accountable those who are responsible.

I urge our colleagues to support this important legislation and to work with me for its prompt enactment. We must do all we can to prevent any further compromise of personal data in the hands of the government.

Mr. President, I ask unanimous consent that the text of this legislation be published in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3506

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 "Data Theft Prevention Act of 2006".

SEC. 2. FEDERAL DATABASES.

(a) IN GENERAL.—Chapter 101 of title 18, United States Code, is amended by adding at the end the following:

"§ 2077. Means of identification and individually identifiable health information in Federal databases

"(a) DEFINITIONS.—In this section:

"(1) FEDERAL DATABASE.—The term 'Federal database' means any electronic database owned, operated, or maintained by or for the Federal Government.

"(2) INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION.—The term 'individually identifiable health information' has the meaning given the term in the regulations issued under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

"(3) MEANS OF IDENTIFICATION.—The term 'means of identification' has the meaning given the term in section 1028 of this title.

"(b) UNAUTHORIZED USE.—It shall be unlawful for any person knowingly and without authorization—

"(1) to view, use, download, or remove any means of identification or individually identifiable health information that is in a Federal database; or

"(2) to transfer such means of identification or individually identifiable health information to, or store such means of identification or individually identifiable health information in, any computer, network, database, or other format used to store information that is not a Federal database.

"(c) USE FOR CRIMINAL PURPOSES.—It shall be unlawful for any person to use a means of identification or individually identifiable health information obtained directly or indirectly from a Federal database in furtherance of a violation of any Federal or State criminal law.

"(d) PENALTY.—Any person who violates subsection (b) or (c) shall be fined not more than $100,000, imprisoned not more than 1 year, or both.".

(b) CHAPTER ANALYSIS.—The table of sections for chapter 101 of title 18, United States Code, is amended by adding after the item relating to section 2076 the following:

"2077. Means of identification and individually identifiable health information in Federal databases.".

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 507—DESIGNATING THE WEEK OF NOVEMBER 5 THROUGH NOVEMBER 11, 2006, AS ''NATIONAL VETERANS AWARENESS WEEK'' TO EMPHASIZE THE NEED TO DEVELOP EDUCATIONAL PROGRAMS REGARDING THE CONTRIBUTIONS OF VETERANS TO THE COUNTRY

Mr. BIDEN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 507

Whereas tens of millions of Americans have served in the Armed Forces of the United States during the past century;

Whereas hundreds of thousands of Americans have given their lives while serving in the Armed Forces during the past century;

Whereas the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by the people of the United States;

Whereas the advent of the all-volunteer Armed Forces has resulted in a sharp decline in the number of individuals and families who have had any personal connection with the Armed Forces;

Whereas this reduction in familiarity with the Armed Forces has resulted in a marked decrease in the awareness by young people of the nature and importance of the accomplishments of those who have served in the Armed Forces, despite the current educational efforts of the Department of Veterans Affairs and the veterans service organizations;

Whereas the system of civilian control of the Armed Forces makes it essential that the future leaders of the Nation understand the history of military action and the contributions and sacrifices of those who conduct such actions; and

Whereas, on November 2, 2005, President George W. Bush issued a proclamation urging all the people of the United States to observe November 6 through November 12, 2005, as ''National Veterans Awareness Week'': Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of November 5 through November 11, 2006, as ''National Veterans Awareness Week''; and

(2) encourages the people of the United States to observe the week with appropriate educational activities.

Mr. BIDEN. Mr. President, today I am submitting a resolution expressing the sense of the Senate that the week that includes Veterans' Day, corresponding this year to November 5–11, 2006, be designated as ''National Veterans Awareness Week''. This marks the seventh year in a row that I have introduced such a resolution, which has been adopted unanimously by the Senate on all previous occasions.

The purpose of National Veterans Awareness Week is to serve as a focus for educational programs designed to make students in elementary and secondary schools aware of the contributions of veterans and their importance in preserving American peace and prosperity. This goal takes on particular importance and immediacy this year as we find ourselves again with uniformed men and women in harm's way in foreign lands.

Why do we need such an educational effort? In a sense, this action has become necessary because we are victims of our own success with regard to the superior performance of our Armed Forces. The plain fact is that there are just fewer people around now who have had any connection with military service. For example, as a result of tremendous advances in military technology and the resultant productivity increases, our current armed forces now operate effectively with a personnel roster that is one-third less in size than just 15 years ago. In addition, the success of the all-volunteer career-oriented force has led to much lower turnover of personnel in today's military than in previous eras when conscription was in place. Finally, the number of veterans who served during previous conflicts, such as World War II, when our military was many times larger than today, is inevitably declining.

The net result of these changes is that the percentage of the entire population that has served in the Armed Forces is dropping rapidly, a change that can be seen in all segments of society. Whereas during World War II it was extremely uncommon to find a family in America that did not have one of its members on active duty, now there are numerous families that include no military veterans at all. Even though the Iraqi war has been prominently discussed on television and in the newspapers, many of our children are much more preoccupied with the usual concerns of young people than with keeping up with the events of the day. As a consequence, many of our youth still have little or no connection with or knowledge about the important historical and ongoing role of men and women who have served in the military. This omission seems to have persisted despite ongoing educational efforts by the Department of Veterans Affairs and the veterans service organizations.

This lack of understanding about military veterans' important role in our society can have potentially serious repercussions. In our country, civilian control of the armed forces is the key tenet of military governance. A citizenry that is oblivious to the capabilities and limitations of the armed forces, and to its critical role throughout our history, can make decisions regarding our military involvement that may have unexpected and unwanted consequences. Even more important, general recognition of the importance of those individual character traits that are essential for military success, such as patriotism, selflessness, sacrifice, and heroism, is vital to maintaining these key aspects of citizenship in the Armed Forces and even throughout the population at large.

The failure of our children to understand why a military is important, why our society continues to depend on it for ultimate survival, and why a successful military requires integrity and sacrifice, will have predictable consequences as these youngsters become of voting age. Even though military service is a responsibility that is no longer shared by a large segment of the population, as it has been in the past, knowledge of the contributions of those who have served in the Armed Forces is as important as it has ever been. To the extent that many of us will not have the opportunity to serve our country in uniform, we must still remain cognizant of our responsibility as citizens to fulfill the obligations we owe, both tangible and intangible, to those who do serve and who do sacrifice on our behalf.

The importance of this issue was brought home to me several years ago by Samuel I. Cashdollar, who was then a 13-year-old seventh grader at Lewes Middle School in Lewes, Delaware. Samuel won the Delaware VFW's Youth Essay Contest that year with a powerful presentation titled ''How Should We Honor America's Veterans''? Samuel's essay pointed out that we have Nurses' Week, Secretaries' Week, and Teachers' Week, to rightly emphasize the importance of these occupations, but the contributions of those in uniform tend to be overlooked. We don't want our children growing up to think that Veterans Day has simply become a synonym for a department store sale, and we don't want to become a nation where more high school seniors recognize the name Britney Spears than the name Dwight Eisenhower.

National Veterans Awareness Week complements Veterans Day by focusing on education as well as commemoration, on the contributions of the many in addition to the heroism and service of the individual. National Veterans Awareness Week also presents an opportunity to remind ourselves of the contributions and sacrifices of those who have served in peacetime as well as in conflict; both groups work unending hours and spend long periods away from their families under conditions of great discomfort so that we all can live in a land of freedom and plenty.

Last year, my resolution designating National Veterans Awareness Week was approved in the Senate by unanimous consent. Responding to that resolution, President Bush issued a proclamation urging our citizenry to observe National Veterans Awareness Week. I ask my colleagues to continue this trend of support for our veterans by endorsing this resolution again this year. Our children and our children's children will need to be well informed about what veterans have accomplished in order to make appropriate decisions as they confront the numerous worldwide challenges that they are sure to face in the future.

SENATE RESOLUTION 508—DESIGNATING OCTOBER 20, 2006 AS ''NATIONAL MAMMOGRAPHY DAY''

Mr. BIDEN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 508

Whereas, according to the American Cancer Society, in 2006, 212,920 women will be diagnosed with breast cancer and 40,970 women will die from that disease;

Whereas it is estimated that about 2,000,000 women were diagnosed with breast cancer in the 1990s, and that, in nearly 500,000 of those cases, the cancer resulted in death;

Whereas African-American women suffer a 30 percent greater mortality rate from breast cancer than White women and more than a 100 percent greater mortality rate from breast cancer than women from Hispanic, Asian, and American Indian populations;

Whereas the risk of breast cancer increases with age, with a woman at age 70 having twice as much of a chance of developing the disease as a woman at age 50;

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas mammography is an excellent method for early detection of localized breast cancer, which has a 5-year survival rate of more than 97 percent;

Whereas the National Cancer Institute and the American Cancer Society continue to recommend periodic mammograms; and

Whereas the National Breast Cancer Coalition recommends that each woman and her health care provider make an individual decision about mammography: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 20, 2006, as ''National Mammography Day''; and

(2) encourages the people of the United States to observe the day with appropriate programs and activities.

Mr. BIDEN. Mr. President, today I am submitting a resolution designating October 20, 2006, as ''National Mammography Day.'' I might note that I have submitted a similar resolution each year since 1993, and on each occasion the Senate has shown its support for the fight against breast cancer by approving the resolution.

Each year, as I prepare to introduce this resolution, I review the latest information from the American Cancer Society about breast cancer. For the year 2006, it is estimated that nearly 213,000 women will be diagnosed with breast cancer and nearly 41,000 women will die of this disease.

In past years, I have often commented on how gloomy these statistics were. But as I review how these numbers are changing over time, I have come to the realization that it is really more appropriate to be optimistic. The trend over time is that the number of deaths from breast cancer is actually stable or falling from year to year. Early detection of breast cancer continues to result in extremely favorable outcomes: 97 percent of women with localized breast cancer will survive 5 years or longer. New digital techniques make the process of mammography much more rapid and precise than before. Government programs will provide free mammograms to those who can't afford them, as well as Medicaid eligibility for treatment if breast cancer is diagnosed. Just last year, the headline on the front page of the Washington Post trumpeted a major improvement in survival of patients with early breast cancer following use of modern treatment regimens involving chemotherapy and hormone therapy. This year, we learned that newer antiestrogen drugs are effective in preventing breast cancer in high-risk women. Information about treatment of breast cancer with surgery, chemotherapy, and radiation therapy has exploded, reflecting enormous research advances in this disease. So I am feeling quite positive about our battle against breast cancer. A diagnosis of breast cancer is not a death sentence, and I encounter long-term survivors of breast cancer nearly daily.

In recent times, the newspapers have been filled with discussion over whether the scientific evidence actually supports the conclusion that periodic screening mammography saves lives. It seems that much of this controversy relates to new interpretations of old studies, and the relatively few recent studies of this matter have not clarified this issue. Most sources seem to agree that all of the existing scientific studies have some weaknesses, but it is far from clear whether the very large and truly unambiguous study needed to settle this matter definitively can ever be done.

So what is a woman to do? I do not claim any expertise in this highly technical area, so I rely on the experts. The American Cancer Society, the National Cancer Institute, and the U.S. Preventive Services Task Force all continue to recommend periodic screening mammography, and I endorse the statements of these distinguished bodies.

On the other hand, I recognize that some women who examine these research studies are unconvinced of the need for periodic screening mammography. However, even those scientists who do not support periodic mammography for all women believe that it is appropriate for some groups of women with particular risk factors. In agreement with these experts, I encourage all women who have doubts about the usefulness of screening mammography in general to discuss with their individual physicians whether this test is appropriate in their specific situations.

So my message to women is: have a periodic mammogram, or at the very least discuss this option with your own physician.

I know that some women don't have annual mammograms because of either fear or forgetfulness. It is only human nature for some women to avoid mammograms because they are afraid of what they will find. To those who are fearful, I would say that if you have periodic routine mammograms, and the latest one comes out positive, even before you have any symptoms or have found a lump on self-examination, you have reason to be optimistic, not pessimistic. Such early-detected breast cancers are highly treatable.

Then there is forgetfulness. I certainly understand how difficult it is to remember to do something that only comes around once each year. I would suggest that this is where National Mammography Day comes in. On that day, let's make sure that each woman we know picks a specific date on which to get a mammogram each year, a date that she won't forget: a child's birthday, an anniversary, perhaps even the day her taxes are due. On National Mammography Day, let's ask our loved ones: pick one of these dates, fix it in your mind along with a picture of your child, your wedding, or another symbol of that date, and promise yourself to get a mammogram on that date every year. Do it for yourself and for the others that love you and want you to be part of their lives for as long as possible.

And to those women who are reluctant to have a mammogram, I say let National Mammography Day serve as a reminder to discuss this question each year with your physician. New scientific studies that are published and new mammography techniques that are developed may affect your decision on this matter from one year to the next. I encourage you to keep an open mind and not to feel that a decision at one point in time commits you irrevocably to a particular course of action for the indefinite future.

Mr. President, I urge my colleagues to join me in the ongoing fight against breast cancer by cosponsoring and voting for this resolution to designate October 20, 2006, as ''National Mammography Day.''

SENATE RESOLUTION 509—DESIGNATING JUNE 21, 2006, AS ''NATIONAL PROFESSIONAL MEDICAL CODER DAY'', IN HONOR OF THE DEDICATION AND CONTINUED SERVICE OF PROFESSIONAL MEDICAL CODERS TO THE NATION

Mr. HATCH (for himself, Mr. BENNETT, and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 509

Whereas professional medical coders are the sentries of our national health;

Whereas medical coders regularly communicate with physicians and other health care professionals to clarify diagnoses or to obtain additional information in the assignment of alpha-numeric codes;

Whereas medical coders stand as the front line against potential medicare fraud and abuse while assuring that the physician, hospital, and clinic receive the fairest compensation for the services provided;

Whereas medical coders are knowledgeable of medical terminology, anatomy, physiology, and the code sets necessary to serve

effectively in their professional role within the health care community;

Whereas medical coders are team players committed to ethical and sound medical documentation and reimbursement practices;

Whereas medical coders work in a variety of health care environments;

Whereas nearly 40 percent of all medical coders in the United States work in hospitals;

Whereas medical coders also work in the offices of physicians, nursing care facilities, outpatient care centers, and home health care providers;

Whereas insurance firms that offer health plans employ professional medical coders to tabulate and analyze health information;

Whereas medical coders in public health departments supervise data collection from health care institutions and assist in research;

Whereas Department of Defense policy requires accurate and prompt documentation and coding of medical encounters within the military health care system to assist military treatment facility operations;

Whereas employment of professional medical coders is expected to grow through 2012, due to the increasing number of medical tests, treatments and procedures, and the consequent responsibility to provide the best quality health care in a market-driven economy; and

Whereas on National Professional Medical Coder Day we honor these sentries of our medical community and may each be held to the highest standard in the interest of national health and prosperity: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 21, 2006, as ''National Professional Medical Coder Day'';

(2) commends professional medical coders for their outstanding contributions to this great Nation;

(3) salutes professional medical coders for their unyielding dedication; and

(4) encourages all Americans to commemorate this occasion with appropriate programs and activities paying tribute to medical coders and honoring all those who protect the Nation's health.

Mr. HATCH. Mr. President, I am pleased to submit today, along with my colleagues Senator BOB BENNETT and Senator RICHARD BURR, the National Professional Medical Coder Day resolution.

By passing this resolution, Congress will recognize June 21, 2006, as National Professional Medical Coder Day, which will help to raise awareness about the important work that medical coders perform and their dedication to their profession.

There are about 80,000 professional medical coders employed in the United States, and that number is expected to continue to grow due to the increasing number of medical tests, treatments and procedures, and the consequent scrutiny to provide the best quality health care in a market driven economy. Medical coders are a diverse group of women and men dedicated to ''running the numbers'' of health care. They translate the information that a physician documents during a patient visit into numerical codes that are used for both payment and statistical purposes.

Medical coders are sentries of our Nation's health. They communicate regularly with physicians and other health care professionals to clarify diagnoses or to obtain additional information in the assignment of alphanumeric codes. They are knowledgeable of medical terminology, anatomy, physiology, and the code sets necessary to serve effectively in their professional role within the health care community. They are team players committed to ethical and sound medical documentation and reimbursement practices.

Medical coders work in a variety of health care environments. Nearly 40 percent of all coding jobs are in hospitals. Others work in the offices of physicians, nursing care facilities, outpatient care centers, and home health care services. Insurance firms that offer health plans employ coders to tabulate and analyze health information. Medical coders in public health departments supervise data collection from health care institutions and assist in research. The Department of Defense policy requires accurate and prompt documentation of and coding of medical encounters within the Military Health System to assist Military Treatment Facility operations. The compliance plan for third-party payers of the Department of Health and Human Services, Office of the Inspector General acknowledges the specialized training of medical coders required due to the greater legal exposure related to coding medical services. Coders also stand as the front line against the potential fraud and abuse of the Medicare and Medicaid Programs while assuring that the physicians, hospitals, and clinics receive accurate compensation for the services provided.

The abilities coders possess to collect data about diagnoses and procedures figure prominently within my own interests for quality health care. Medical coders also provide us with the data we need for making tough choices in health care.

This resolution stems from positive citizen actions. The quest for a national day of recognition began as a grassroots campaign. Over the past 4 years, medical coders from around the country have gathered support through a national petition and State proclamations crediting the work of their coders. The Secretary of the Department of Health and Human Services Michael Leavitt made Utah the very first State to honor coders when, as Governor, he signed on April 15, 2003, a proclamation declaring a day of honor for coders in Utah. Since then, 28 other States have signed similar proclamations. The State of Florida was the most recent addition to their campaign, and medical coders continue their efforts in achieving recognition at the State level. Let us now recognize their efforts as a nation.

It is my hope that this resolution will help advance the recognition of professional medical coders; and, therefore, the attention given to their commendable work. It recognizes contributions to the national health care system and it reminds us of medical coders' dedication to the value of hard work in the interest of a national priority—quality health care for everyone. I applaud that contribution and am hopeful that the Senate will pass this resolution marking June 21, 2006, as National Medical Coder Day.

SENATE RESOLUTION 510—DESIGNATING THE PERIOD BEGINNING ON JUNE 28, 2006, AND ENDING ON JULY 5, 2006, AS ''NATIONAL CLEAN BEACHES WEEK'', SUPPORTING THE GOALS AND IDEALS OF THAT WEEK, AND RECOGNIZING THE CONSIDERABLE VALUE AND ROLE OF BEACHES IN THE CULTURE OF THE UNITED STATES

Mr. MARTINEZ (for himself, Mr. LAUTENBERG, Ms. SNOWE, Ms. STABENOW, Mr. MENENDEZ, Mr. LOTT, and Mrs. DOLE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 510

Whereas, according to the document entitled ''Turning to the Sea: America's Ocean Future'', published by the National Oceanic and Atmospheric Administration, coastal areas produce 85 percent of all tourism revenue in the United States and beaches are the leading tourism destination in the country;

Whereas beaches provide recreational opportunities for numerous citizens and their families, as well as international tourists who, according to the document entitled ''The Beach and Your Coastal Watershed'' (EPA document number 842–F–98–010), published by the Environmental Protection Agency, together make almost 2,000,000,000 trips to the beach each year to fish, sunbathe, boat, swim, surf, and birdwatch;

Whereas, according to the Army Corps of Engineers, the beaches of the United States are a critical component of the national economy, including global competitiveness;

Whereas beaches represent a critical part of the natural heritage and a beautiful part of the landscape of the United States;

Whereas beaches are sensitive ecosystems that are susceptible to degradation and alteration from pollution, sewage, and improper use;

Whereas coastal tourism and healthy seafood foster robust economies that sustain communities and support jobs throughout the coastal regions of the United States;

Whereas members of the Federal Government, the private sector, nongovernmental organizations, and citizen volunteers have worked hard to clean and protect the beaches of the United States;

Whereas, according to the United States Geological Survey, great progress has been made in understanding the science of watersheds and the connections between inland areas and coastal waters; and

Whereas the Federal Government should develop science-based policies that are commensurate with that knowledge: Now therefore, be it

Resolved, That the Senate—

(1) designates the period beginning on June 28, 2006, and ending on July 5, 2006, as ''National Clean Beaches Week'';

(2) recognizes—

(A) the value of beaches to the way of life of the citizens of the United States; and

(B) the important contributions of beaches to the economy, recreation, and natural environment of the United States; and

(3) encourages all citizens of the United States to work to keep beaches, a critical part of the natural heritage of the United States, safe and clean for the continued enjoyment of the public.

Mr. MARTINEZ. Mr. President, I rise today to submit a resolution that will honor June 28, 2006 through July 5, 2006 as National Clean Beaches Week.

I want to thank my colleague from New Jersey, Senator LAUTENBERG, for agreeing to cosponsor this resolution with me as well as Senators SNOWE, LOTT, MENENDEZ, and STABENOW so we as a nation can recognize the incredible importance beaches and coastal areas have not only for our economy but our Nation's recreational, aesthetic, and environmental wellbeing.

According to data provided by the National Oceanic and Atmospheric Administration, 85 percent of tourism revenue generated in the U.S. comes from coastal areas. The Environmental Protection Agency has also stated that a staggering 2 billion trips are made by Americans to beaches and coastal areas to fish, swim, surf, sunbathe, recreate, and enjoy our Nation's beautiful scenery.

Every year roughly 80 million people visit the Sunshine State to enjoy its beautiful beaches, exciting amusement parks, and wonderfully abundant wildlife and natural splendor. The tourism industry alone directly employs nearly 840,000 Floridians and provides an economic impact of $57 billion to our State's economy. Of the 80 million visitors, a great deal came to Florida to enjoy its pristine coastline and wonderful climate. Families return, year after year, to their favorite vacation spots to relax under our brilliant blue skies, powdery white beaches, and crystal-clear emerald waters. The people of Florida share a love and appreciation of the Atlantic Ocean and the Gulf of Mexico, its coastal habitat, and our wetlands which make it a very complex ecosystem and a very special place to live.

Our beaches and coastline in Florida are very important to the people of Florida. The resolution I submit today will support a national effort to recognize the importance of keeping our beaches clean and vibrant, to continue to support our Nation's ecological treasures for future generations to enjoy, and to encourage Americans of all ages and backgrounds to marvel at their splendor. I urge my colleagues to become a cosponsor and support designating June 28th through July 5th 2006, as National Clean Beaches Week.

SENATE RESOLUTION 511—COMMENDING AND SUPPORTING RADIO AL MAHABA, THE 1ST AND ONLY RADIO STATION FOR THE WOMEN OF IRAQ

Mrs. CLINTON (for herself and Mr. HATCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 511

Whereas Radio Al Mahaba, the 1st and only radio station for the women of Iraq, went on the air for the 1st time on April 1, 2005;

Whereas Radio Al Mahaba is an educational tool that—

(1) is broadcast in 3 different languages; and

(2) provides the women of Iraq with an opportunity to voice their opinions and listen to the opinions of others;

Whereas Radio Al Mahaba airs shows that are dedicated to the rights and issues of women;

Whereas those shows are devoted to issues relating to personal relationships, parenting, and other social topics;

Whereas, despite terrible risks, the staff of Radio Al Mahaba continues to provide the women of Iraq with hope, knowledge, empowerment, support, and a vision of freedom;

Whereas, amid the struggles in Iraq, Radio Al Mahaba has followed the democratic principles of free speech and free press championed by the United States, thereby encouraging the people of Iraq to build an open and democratic civil society;

Whereas Radio Al Mahaba plays a positive and important role in educating the women of Iraq;

Whereas Radio Al Mahaba provides women with an opportunity to exercise their freedom of speech;

Whereas Radio Al Mahaba enables the women of Iraq to secure their role in the civil society of Iraq; and

Whereas Radio Al Mahaba meets a palpable need of the women of Iraq: Now, therefore, be it

Resolved, That the Senate—

(1) commends the efforts of Radio Al Mahaba to provide the women of Iraq with an opportunity to—

(A) exercise their freedom of speech; and

(B) be included in, and informed of, the reconstruction of Iraq;

(2) supports the mission of Radio Al Mahaba; and

(3) urges Radio Al Mahaba to continue its important efforts to help create an open, free, and democratic society in Iraq.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4209. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 4210. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4211. Mr. WARNER proposed an amendment to the bill S. 2766, supra.

SA 4212. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4213. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4214. Mr. DEWINE (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4215. Mr. JEFFORDS (for himself, Mr. FEINGOLD, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4216. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4217. Mr. THUNE (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4218. Mr. SALAZAR (for himself, Mr. ALLARD, Mr. BUNNING, Mr. MCCONNELL, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4219. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4220. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4209. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the the end of subtitle I of title X, insert the following:

SEC. 1084. SENSE OF CONGRESS REGARDING THE MEN AND WOMEN OF THE ARMED FORCES OF THE UNITED STATES IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) In 2003, members of the Armed Forces of the United States successfully liberated the people of Iraq from the tyrannical regime of Saddam Hussein.

(2) Members of the Armed Forces of the United States have bravely risked their lives everyday over the last 3 years to protect the people of Iraq from terror attacks by Al Qaeda and other extremist organizations.

(3) Members of the Armed Forces of the United States have conducted dozens of operations with coalition forces to track, apprehend, and eliminate terrorists in Iraq.

(4) Members of the Armed Forces of the United States have helped sustain political progress in Iraq by assisting the people of Iraq as they exercised their right to choose their leaders and draft their own constitution.

(5) Members of the Armed Forces of the United States have taught over 150,000 soldiers of Iraq to respect civilian authority, conduct counter-insurgency operations, provide meaningful security, and protect the people of Iraq from terror attacks.

(6) Members of the Armed Forces of the United States have built new schools, hospitals, and public works throughout Iraq.

(7) Members of the Armed Forces of the United States have helped rebuild Iraq's dilapidated energy sector.

(8) Members of the Armed Forces of the United States have restored electrical power and sewage waste treatment for the people of Iraq.

(9) Members of the Armed Forces of the United States have established lasting and productive relationships with local leaders in Iraq and secured the support of a majority of the populace of Iraq.

(10) Members of the Armed Forces of the United States have courageously endured sophisticated terror tactics, including deadly car-bombs, sniper attacks, and improvised explosive devices.

(11) Members of the Armed Forces of the United States have paid a high cost in order to defeat the terrorists, defend innocent civilians, and protect democracy from those who desire the return of oppression and extremism to Iraq.

(12) Members of the Armed Forces of the United States have performed their duty in Iraq with an unflagging commitment to the highest ideals and traditions of the United States and the Armed Forces.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the men and women in uniform of the Armed Forces of the United States in Iraq should be commended for their on-going service to the United States, their commitment to the ideals of the United States, and their determination to win the Global War on Terrorism;

(2) gratitude should be expressed to the families of the Armed Forces of the United States, especially those families who have lost loved ones in Operational Iraqi Freedom; and

(3) the people of the United States should honor those who have paid the ultimate sacrifice and assist those families who have loved ones in the Armed Forces of the United States deployed overseas.

SA 4210. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 587. SENSE OF SENATE ON NOTICE TO CONGRESS OF RECOGNITION OF MEMBERS OF THE ARMED FORCES FOR EXTRAORDINARY ACTS OF BRAVERY, HEROISM, AND ACHIEVEMENT.

It is the sense of the Senate that the Secretary of Defense or the Secretary of the military department concerned should, upon awarding a medal to a member of the Armed Forces or otherwise commending or recognizing a member of the Armed Forces for an act of extraordinary heroism, bravery, achievement, or other distinction, notify the Committee on Armed Services of the Senate and House of Representatives, the Senators from the State in which such member resides, and the Member of the House of Representatives from the district in which such member resides of such extraordinary award, commendation, or recognition.

SA 4211. Mr. WARNER proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1013. NAMING OF CVN–78 AIRCRAFT CARRIER AS THE U.S.S. GERALD FORD.

(a) FINDINGS.—Congress makes the following findings:

(1) Gerald R. Ford has served his country with honor and distinction for the past 64 years, and continues to serve.

(2) Gerald R. Ford joined the United States Naval Reserve in 1942 and served valiantly at sea on the U.S.S. Monterey (CVL–26) during World War II, taking part in major operations in the Pacific, including at Makin Island, Kwajalein, Truk, Saipan, and the Philippine Sea.

(3) The U.S.S. Monterey earned 10 battle stars, awarded for participation in battle, while Gerald R. Ford served on the vessel.

(4) Gerald R. Ford was first elected to the House of Representatives in 1948.

(5) In the course of 25 years of service in the House of Representatives, Gerald R. Ford distinguished himself by his exemplary record for character, decency, and trustworthiness.

(6) Throughout his service in Congress, Gerald R. Ford was an ardent proponent of strong national defense and international leadership by the United States.

(7) From 1965 to 1973, Gerald R. Ford served as minority leader of the House of Representatives, raising the standard for bipartisanship in his tireless fight for freedom, hope, and justice.

(8) In 1973, Gerald R. Ford was appointed by President Nixon to the office of Vice President of the United States with the overwhelming support of Congress.

(9) From 1974 to 1976, Gerald R. Ford served as the 38th President of the United States, taking office during one of the most challenging periods in the history of the United States and restoring the faith of the people of the United States in the office of the President through his steady leadership, courage, and ultimate integrity.

(10) President Gerald R. Ford helped restore the prestige of the United States in the world community by working to achieve peace in the Middle East, preserve détente with the Soviet Union, and set new limits on the spread of nuclear weapons.

(11) President Gerald R. Ford served as Commander in Chief of the Armed Forces of the United States with great dignity, supporting a strong Navy and a global military presence for the United State and honoring the men and women of the Armed Forces of the United States.

(12) Since leaving the office of President, Gerald R. Ford has been an international ambassador of American goodwill, a noted scholar and lecturer, a strong supporter of human rights, and a promoter of higher education.

(13) Gerald R. Ford was awarded the Medal of Freedom and the Congressional Gold Medal in 1999 in recognition of his contribution to the Nation.

(14) As President, Gerald R. Ford bore the weight of a constitutional crisis and guided the Nation on a path of healing and restored hope, earning forever the enduring respect and gratitude of the Nation.

(b) NAMING OF CVN–78 AIRCRAFT CARRIER.—CVN–78, a nuclear powered aircraft carrier of the Navy, shall be named the U.S.S. Gerald Ford.

SA 4212. Mrs. CLINTON submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 587. COLD WAR SERVICE MEDAL.

(a) AUTHORITY.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1135. Cold War service medal

''(a) MEDAL AUTHORIZED.—The Secretary concerned shall issue a service medal, to be known as the 'Cold War service medal', to persons eligible to receive the medal under subsection (b). The Cold War service medal shall be of an appropriate design approved by the Secretary of Defense, with ribbons, lapel pins, and other appurtenances.

''(b) ELIGIBLE PERSONS.—The following persons are eligible to receive the Cold War service medal:

''(1) A person who—

''(A) performed active duty or inactive duty training as an enlisted member during the Cold War;

''(B) completed the person's initial term of enlistment or, if discharged before completion of such initial term of enlistment, was honorably discharged after completion of not less than 180 days of service on active duty; and

''(C) has not received a discharge less favorable than an honorable discharge or a release from active duty with a characterization of service less favorable than honorable.

''(2) A person who—

''(A) performed active duty or inactive duty training as a commissioned officer or warrant officer during the Cold War;

''(B) completed the person's initial service obligation as an officer or, if discharged or separated before completion of such initial service obligation, was honorably discharged after completion of not less than 180 days of service on active duty; and

''(C) has not been released from active duty with a characterization of service less favorable than honorable and has not received a discharge or separation less favorable than an honorable discharge.

''(c) ONE AWARD AUTHORIZED.—Not more than one Cold War service medal may be issued to any person.

''(d) ISSUANCE TO REPRESENTATIVE OF DECEASED.—If a person described in subsection (b) dies before being issued the Cold War service medal, the medal shall be issued to the person's representative, as designated by the Secretary concerned.

''(e) REPLACEMENT.—Under regulations prescribed by the Secretary concerned, a Cold War service medal that is lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was issued may be replaced without charge.

''(f) APPLICATION FOR MEDAL.—The Cold War service medal shall be issued upon receipt by the Secretary concerned of an application for such medal, submitted in accordance with such regulations as the Secretary prescribes.

''(g) UNIFORM REGULATIONS.—The Secretary of Defense shall ensure that regulations prescribed by the Secretaries of the military departments under this section are uniform so far as is practicable.

''(h) DEFINITION.—In this section, the term 'Cold War' means the period beginning on September 2, 1945, and ending at the end of December 26, 1991.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1135. Cold War service medal.''.

SA 4213. Mrs. CLINTON submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 569. REVIEW OF LEGAL STATUS OF JUNIOR ROTC PROGRAM.

(a) REVIEW.—The Secretary of Defense shall conduct a review of the 1976 legal opinion issued by the General Counsel of the Department of Defense regarding instruction of non-host unit students participating in Junior Reserve Officers' Training Corps programs. The review shall consider whether changes to law after the issuance of that opinion allow in certain circumstances for the arrangement for assignment of instructors that provides for the travel of an instructor from one educational institution to another once during the regular school day for the purposes of the Junior Reserve Officers' Training Corps program as an authorized arrangement that enhances administrative efficiency in the management of the program. If the Secretary, as a result of the review, determines that such authority is not available, the Secretary should also consider whether such authority should be available and whether there should be authority to waive the restrictions under certain circumstances.

(b) REPORT.—The Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the results of the review not later than 180 days after the date of the enactment of this Act.

(c) INTERIM AUTHORITY.—A current institution that has more than 70 students and is providing support to another educational institutional with more than 70 students and has been providing for the assignment of instructors from one school to the other may continue to provide such support until 180 days following receipt of the report under subsection (b).

SA 4214. Mr. DEWINE (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

RICKENBACKER AIRPORT, COLUMBUS, OHIO

SEC. _____. The project numbered 4651 in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1434) is amended by striking ''Grading, paving'' and all that follows through ''Airport'' and inserting ''Grading, paving, roads, and the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport, Columbus, OH''.

SA 4215. Mr. JEFFORDS (for himself, Mr. FEINGOLD, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___ PROGRAMS FOR USE OF LEAVE BY CAREGIVERS FOR FAMILY MEMBERS OF INDIVIDUALS PERFORMING CERTAIN MILITARY SERVICE.

(a) FEDERAL EMPLOYEES PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) CAREGIVER.—The term ''caregiver'' means an individual who—

(i) is an employee;

(ii) is at least 21 years of age; and

(iii) is capable of self care and care of children or other dependent family members of a qualified member of the Armed Forces.

(B) COVERED PERIOD OF SERVICE.—The term ''covered period of service'' means any period of service performed by an employee as a caregiver while the individual who designated the caregiver under paragraph (3) remains a qualified member of the Armed Forces.

(C) EMPLOYEE.—The term ''employee'' has the meaning given under section 6331 of title 5, United States Code.

(D) FAMILY MEMBER.—The term ''family member'' includes—

(i) individuals for whom the qualified member of the Armed Forces provides medical, financial, and logistical support (such as housing, food, clothing, or transportation); and

(ii) children under the age of 19 years, elderly adults, persons with disabilities, and other persons who are unable to care for themselves in the absence of the qualified member of the Armed Forces.

(E) QUALIFIED MEMBER OF THE ARMED FORCES.—The term ''qualified member of the Armed Forces'' means—

(i) a member of a reserve component of the Armed Forces as described under section 10101 of title 10, United States Code, who has received notice to report to, or is serving on, active duty in the Armed Forces in support of a contingency operation as defined under section 101(a)(13) of title 10, United States Code; or

(ii) a member of the Armed Forces on active duty who is eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code.

(2) ESTABLISHMENT OF PROGRAM.—The Office of Personnel Management shall establish a program to authorize a caregiver to—

(A) use any sick leave of that caregiver during a covered period of service in the same manner and to the same extent as annual leave is used; and

(B) use any leave available to that caregiver under subchapter III or IV of chapter 63 of title 5, United States Code, during a covered period of service as though that covered period of service is a medical emergency.

(3) DESIGNATION OF CAREGIVER.—

(A) IN GENERAL.—A qualified member of the Armed Forces shall submit a written designation of the individual who is the caregiver for any family member of that member of the Armed Forces during a covered period of service to the employing agency and the Office of Personnel Management.

(B) DESIGNATION OF SPOUSE.—Notwithstanding paragraph (1)(A)(ii), an individual less than 21 years of age may be designated as a caregiver if that individual is the spouse of the qualified member of the Armed Forces making the designation.

(4) USE OF CAREGIVER LEAVE.—Leave may only be used under this subsection for purposes directly relating to, or resulting from, the designation of an employee as a caregiver.

(5) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Office of Personnel Management shall prescribe regulations to carry out this subsection.

(6) TERMINATION.—The program under this subsection shall terminate on December 31, 2007.

(b) VOLUNTARY PRIVATE SECTOR LEAVE PROGRAM.—

(1) DEFINITIONS.—

(A) CAREGIVER.—The term ''caregiver'' means an individual who—

(i) is an employee;

(ii) is at least 21 years of age; and

(iii) is capable of self care and care of children or other dependent family members of a qualified member of the Armed Forces.

(B) COVERED PERIOD OF SERVICE.—The term ''covered period of service'' means any period of service performed by an employee as a caregiver while the individual who designated the caregiver under paragraph (4) remains a qualified member of the Armed Forces.

(C) EMPLOYEE.—The term ''employee'' means an employee of a business entity participating in the program under this subsection.

(D) FAMILY MEMBER.—The term ''family member'' includes—

(i) individuals for whom the qualified member of the Armed Forces provides medical, financial, and logistical support (such as housing, food, clothing, or transportation); and

(ii) children under the age of 19 years, elderly adults, persons with disabilities, and other persons who are unable to care for themselves in the absence of the qualified member of the Armed Forces.

(E) QUALIFIED MEMBER OF THE ARMED FORCES.—The term ''qualified member of the Armed Forces'' means—

(i) a member of a reserve component of the Armed Forces as described under section 10101 of title 10, United States Code, who has received notice to report to, or is serving on, active duty in the Armed Forces in support of a contingency operation as defined under section 101(a)(13) of title 10, United States Code; or

(ii) a member of the Armed Forces on active duty who is eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code.

(2) ESTABLISHMENT OF PROGRAM.—

(A) IN GENERAL.—The Secretary of Labor shall establish a program to authorize employees of business entities described under paragraph (3) to use sick leave, or any other leave available to an employee, during a covered period of service in the same manner and to the same extent as annual leave (or its equivalent) is used.

(B) EXCEPTION.—Subparagraph (A) shall not apply to leave made available under the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

(3) VOLUNTARY BUSINESS PARTICIPATION.—The Secretary of Labor shall solicit business entities to voluntarily participate in the program under this subsection.

(4) DESIGNATION OF CAREGIVER.—

(A) IN GENERAL.—A qualified member of the Armed Forces shall submit a written designation of the individual who is the caregiver for any family member of that member

of the Armed Forces during a covered period of service to the employing business entity.

(B) DESIGNATION OF SPOUSE.—Notwithstanding paragraph (1)(A)(ii), an individual less than 21 years of age may be designated as a caregiver if that individual is the spouse of the qualified member of the Armed Forces making the designation.

(5) USE OF CAREGIVER LEAVE.—Leave may only be used under this subsection for purposes directly relating to, or resulting from, the designation of an employee as a caregiver.

(6) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Labor shall prescribe regulations to carry out this subsection.

(7) TERMINATION.—The program under this subsection shall terminate on December 31, 2007.

(c) GAO REPORT.—Not later than June 30, 2007, the Government Accountability Office shall submit a report to Congress on the programs under subsections (a) and (b) that includes—

(1) an evaluation of the success of each program; and

(2) recommendations for the continuance or termination of each program.

SA 4216. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 437, between lines 2 and 3, insert the following:

SEC. 1084. POSSESSION OF MACHINEGUNS BY LICENSED MANUFACTURERS AND LICENSED IMPORTERS.

Section 922(o)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) by redesignated subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) a transfer to, or possession by, a licensed manufacturer or a licensed importer for purposes of conducting research, development, or testing of firearms or ammunition for law enforcement or military use; or''.

SA 4217. Mr. THUNE (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 352. REPORT ON AERIAL TRAINING AIRSPACE REQUIREMENTS OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Access to and use of available and unfettered aerial training airspace is critical for preserving aircrew warfighting proficiency and the ability to test, evaluate, and improve capabilities of both personnel and equipment within the most realistic training environments possible.

(2) The growth of civilian and commercial aviation traffic and the rapid expansion of commercial and general air traffic lanes across the continental Unites States has left few remaining areas of the country available for realistic air combat training or expansion of existing training areas.

(3) Many Military Operating Areas (MOAs) originally established in what was once open and uncongested airspace are now encroached upon by a heavy volume of commercial and general air traffic, making training more difficult and increasingly hazardous.

(4) Some aerial training areas in the upper great plains, western States, and Gulf coast remain largely free from encroachment and available for increased use, expansion, and preservation for the future.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should—

(1) establish a policy to identify military aerial training areas that are projected to remain viable and free from encroachment well into the 21st century;

(2) determine aerial training airspace requirements to meet future training and airspace requirements of legacy and next generation military aircraft; and

(3) undertake all necessary actions in a timely manner, including coordination with the Federal Aviation Administration, to expand and preserve those areas of airspace to meet present and future training requirements.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a proposed plan to preserve and expand available aerial training airspace to meet the projected needs of the Department of Defense for such airspace through 2025.

SA 4218. Mr. SALAZAR (for himself, Mr. ALLARD, Mr. BUNNING, Mr. MCCONNELL, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 437, between lines 2 and 3, insert the following:

SEC. 1084. SENSE OF THE SENATE ON DESTRUCTION OF CHEMICAL WEAPONS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, done at Paris on January 13, 1993 (commonly referred to as the ''Chemical Weapons Convention''), requires all United States chemical weapons stockpiles be destroyed by no later than the extended deadline of April 29, 2012.

(2) On April 10, 2006, the Department of Defense notified Congress that the United States would not meet even the extended deadline under the Chemical Weapons Convention for destruction of United States chemical weapons stockpiles.

(3) Destroying existing chemical weapons is a homeland security imperative, an arms control priority, and required by United States law.

(4) The elimination and nonproliferation of chemical weapons of mass destruction is of utmost importance to the national security of the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States is committed to making every effort to safely dispose of its chemical weapons stockpiles by the Chemical Weapons Convention deadline of April 29, 2012, or as soon thereafter as possible, and will carry out all of its other obligations under the Convention;

(2) the Secretary of Defense should prepare a comprehensive schedule for safely destroying the United States chemical weapons stockpiles to prevent further delays in the destruction of such stockpiles, and the schedule should be submitted annually to the congressional defense committees separately or as part of another required report; and

(3) the Secretary of Defense should make every effort to ensure adequate funding to complete the elimination of the United States chemical weapons stockpile in the shortest time possible, consistent with the requirement to protect public health, safety, and the environment.

SA 4219. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 648. RENAMING OF DEATH GRATUITY PAYABLE FOR DEATHS OF MEMBERS OF THE ARMED FORCES AS FALLEN HERO COMPENSATION.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 10, United States Code, is amended as follows:

(1) In section 1475(a), by striking ''have a death gratuity paid'' and inserting ''have fallen hero compensation paid''.

(2) In section 1476(a)—

(A) in paragraph (1), by striking ''a death gratuity'' and inserting ''fallen hero compensation''; and

(B) in paragraph (2), by striking ''A death gratuity'' and inserting ''Fallen hero compensation''.

(3) In section 1477(a), by striking ''A death gratuity'' and inserting ''Fallen hero compensation''.

(4) In section 1478(a), by striking ''The death gratuity'' and inserting ''The amount of fallen hero compensation''.

(5) In section 1479(1), by striking ''the death gratuity'' and inserting ''fallen hero compensation''.

(6) In section 1489—

(A) in subsection (a), by striking ''a gratuity'' in the matter preceding paragraph (1) and inserting ''fallen hero compensation''; and

(B) in subsection (b)(2), by inserting ''or other assistance'' after ''lesser death gratuity''.

(b) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENTS.—Such subchapter is further amended by striking ''**Death Gratuity:**'' each place it appears in the heading of sections 1475 through 1480 and 1489 and inserting ''**Fallen Hero Compensation:**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of such subchapter is amended by striking ''Death gratuity:'' in the items relating to sections 1474 through 1480 and 1489 and inserting ''Fallen hero compensation:''.

(c) GENERAL REFERENCES.—Any reference to a death gratuity payable under subchapter II of chapter 75 of title 10, United States Code, in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to fallen hero compensation payable under such subchapter, as amended by this section.

SA 4220. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 352. REPORT ON HIGH ALTITUDE AVIATION TRAINING SITE, EAGLE COUNTY, COLORADO.

(a) REPORT REQUIRED.—Not later than December 15, 2006, the Secretary of the Army shall submit to the congressional defense committees a report on the High Altitude Aviation Training Site (HAATS) in Eagle County, Colorado.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the type of high altitude aviation training being conducted at the High Altitude Aviation Training Site, including the number of pilots who receive such training on an annual basis and the types of aircraft used in such training.

(2) A description of the number and type of helicopters required at the High Altitude Aviation Training Site to provide the high altitude aviation training needed to sustain the war strategies contained in the 2006 Quadrennial Defense Review, assuming that priority is afforded in the provision of such training to commanders, instructor pilots, aviation safety officers, and deploying units.

(3) A thorough evaluation of accident rates for deployed helicopter pilots of the Army who receive high altitude aviation training at the High Altitude Aviation Training Site, and accident rates for deployed Army helicopter pilots who did not receive such training, including the following:

(A) An estimate (set forth as a range) of the number of accidents attributable to power management.

(B) The number of accidents occurring in a combat environment.

(C) The number of accidents occurring in a non-combat environment.

(4) An evaluation of the inventory and availability of Army aircraft for purposes of establishing an appropriate schedule for the assignment of a CH–47 aircraft to the High Altitude Aviation Training Site.

(5) A description of the status of efforts to ensure that all helicopter aircrews deployed to the area of responsibility of the Central Command (CENTCOM AOR) are qualified in mountain flight and power management through the High Altitude Aviation Training Site prior to deployment, with particular focus on the status of such efforts with respect to aircrews to be deployed in support of Operation Enduring Freedom.

(c) TRACKING SYSTEM.—The Secretary shall implement a system for tracking the training of helicopter pilots of the Army at the High Altitude Aviation Training Site. The system shall utilize an existing system that permits the query of pilot flight experience and training.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 14, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 374, the Tribal Parity Act and S. 1535, the Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2005.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 21, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 480, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2005, and S. 437, the Grand River Band of Ottawa Indians of Michigan Referral Act.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 22, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting voting out the report on the Indian Lobbying Misconduct Investigation, and other pending matters.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 28, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Native American Housing Programs.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, June 21st, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the Government Accountability Office report entitled ''Wildland Fire Suppression—Lack of Clear Guidance Raises Concerns about Cost Sharing between Federal and Nonfederal Entities'' (GAO–06–570).

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 Frank Gladics at 202–224–2878 or Sara Zecher 202–224–8276.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Tuesday, June 13, 2006, at 10 a.m. in 328A, Senate Russell Office Building. The purpose of this committee hearing will be to discuss United States Department of Agriculture Farm Loan Programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WARNER. Mr. President. I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, June 13, 2006, at 10 a.m. on the Committee Update of S. 2686 Consumer's Choice and Broadband Deployment Act of 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, June 13, 2006, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''A Tune-Up On Corporate Tax Issues: What's Going On Under The Hood?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, June 13, 2006, at 9:30 a.m., to hold a hearing on ''Counterterrorism: The Changing Face of Terror.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on ''Examining the Continuing Need for Voting Rights Act Section 203's Provisions Regarding Bilingual Election Materials'' on Tuesday, June 13, 2006, at

9:30 a.m., in Dirksen Senate Office Building Room 226.

Witness List

Panel I: John Transviña, President, Mexican American Legal Defense and Education Fund (MALDEF), Los Angeles, CA; Margaret Fung, Executive Director, Asian American Legal Defense and Education Fund, New York, NY; Mauro E. Mujica, Chairman of the Board and CEO, U.S. English, Washington, DC; Deborah Wright, Acting Assistant Registrar-Recorder, Department of Registrar-Recorder, Los Angeles, CA; Peter N. Kirsanow, Member, National Labor Relations Board, Commissioner, United States Commission on Civil Rights, Cleveland, OH.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 13, 2006, at 2:30 p.m., to hold a closed briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Homeland and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Tuesday, June 13, 2006, at 2:30 p.m., for a hearing regarding ''Autopilot Budgeting: Will Congress Ever Respond to Government Performance Data?''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent that a military fellow, Scott Fisher, be granted floor privileges during the duration of our consideration of the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Dr. Jonathan Epstein, a legislative fellow in Senator BINGAMAN's office, be given floor privileges during the pendency of S. 2766 and any votes thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH. Mr. President, I ask unanimous consent that Matt Goodman and Jonathan Price, interns in my office, be granted the privileges of the floor for the remainder of the day.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on today's executive calendar: No. 705, Charles Rosenberg. I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF JUSTICE

Charles P. Rosenberg, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR WEDNESDAY, JUNE 14, 2006

Mr. COCHRAN. 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, June 14. 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 proceed to a period of morning business for up to 30 minutes with the first 15 minutes under the control of the Democratic leader or his designee and the final 15 minutes under the control of the majority leader or his designee; further that following morning business, the Senate then resume consideration of the conference report to accompany H.R. 4939, the emergency supplemental appropriations bill, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. COCHRAN. Today the Senate continued to debate the Department of Defense authorization bill. There are two amendments pending, and the chairman will be working with the ranking member to dispose of those amendments. Senators who have amendments to this bill are encouraged to work with the bill managers in order to get their amendments lined up to be offered. We have briefly interrupted work on this bill to turn to the emergency supplemental appropriations conference report that was made available earlier today. The vote on the conference report will occur at 10 a.m. on Thursday morning. Additional votes will also occur on Wednesday relating to Defense authorization amendments.

UNANIMOUS CONSENT AGREEMENT—H.R. 4939

Mr. COCHRAN. Mr. President, I ask unanimous consent that the 75 minutes controlled by the ranking member on the supplemental appropriations conference report be controlled as follows: Mr. REID, 10 minutes; Ms. LANDRIEU, 20 minutes; Mr. DURBIN, 15 minutes; Mr. DAYTON, 10 minutes; Mr. HARKIN, 15 minutes; Mr. AKAKA, 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. COCHRAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until June 14, 2006, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, June 13, 2006:

DEPARTMENT OF JUSTICE

CHARLES P. ROSENBERG, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS.

EXTENSIONS OF REMARKS

REFINERY PERMIT PROCESS SCHEDULE ACT

SPEECH OF

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. BORDALLO. Mr. Speaker, I rise today to address H.R. 5254. While I join my colleagues in recognizing the need for resolving our Nation's problematic energy situation, I fear this bill may seek a solution by way of shortcuts that will only exacerbate the problem or develop new ones.

I believe most importantly that this bill problematically interferes with past base closure and realignment (BRAC) rounds. If nothing else, the bill will take away the legal right of communities to determine how local bases will be redeveloped. This is inconsistent with the principles this Congress has stood for when it comes to the base closure process and it is inconsistent with enabling local entities to seek what is best for their local communities instead of having those in Washington choose it for them.

Some communities face the possibility of having the power to determine how best to utilize lands on closed bases stripped away from them and given to the Secretary of Defense. This would jeopardize plans these communities have already developed, including projects for which they have already invested time and money. Expectations of entire local governments and public constituencies could be jeopardized. This is not good government.

The BRAC process has followed a simple and important principle associated with base closure: that the transformation of military installations to civilian use, once properly closed and environmentally cleaned up by the Federal Government, is best left in the hands of the community, not the Federal Government. H.R. 5254 would deprive some communities of this critical option and undercut this principle.

A closed military base on Guam has been converted into the Antonio B. Won Pat International Airport (GIAA). It is a crucial trade and transportation hub in the Western Pacific Region today. Interfering with the process that enables successes like the conversion to a commercial airport on Guam, a process that is often a difficult one for communities faced with job losses and lost economic expenditures from base personnel, is bad policy.

This bill nonetheless would give the Department of Defense the ability to flaunt BRAC law and the BRAC process by allowing the Secretary of Defense to designate three previously closed bases for the construction of oil refineries, themselves assets our Nation does need to grow, that could then be transferred to oil companies, potentially at no cost, irrespective of local redevelopment plans, irrespective of environmental cleanup needed at the base and irrespective of community desires and previous planning. I do not support the construction of refineries at the expense of local communities. I am confident that current law sufficiently incentivizes refinery construction and that the oil industry, with record profits, can appropriately seek land and locations to construct these resources without having to rely upon land on closed military installations.

I might add that on Guam, H.R. 5254 is redundant. Shell Guam, with a large presence on Guam, has repeatedly offered the Department of Defense the ability to lease both significant storage facilities and refining capacity available on the island. The Department of Defense has never acted on this opportunity nor responded to the invitation.

Mr. Speaker, in closing, I note that there is currently nothing that prevents the building of refineries on closed bases if a community chooses to do so. It is my understanding some communities with a closed base may even desire to host a refinery. But it should be their choice, not the sole decision of the federal government imposed on the local community. Those American communities already stricken by the economic pains of base closure should not and cannot now find that their reliance on BRAC law that enables community choices on how to redevelop land on closed bases will have been faulty. I do not believe that our country's energy situation can be solved at the expense of these communities and therefore am deeply concerned about H.R. 5254.

I join my colleagues in their concern with our country's over-reliance on oil, about our lack of refining capacity and about the need to develop policy to overcome these challenges. Unfortunately, H.R. 5254 goes too far and in the wrong direction in an attempt to address these challenges.

CONGRATULATING DR. PATRICIA DONOHUE FOR BEING NAMED RECIPIENT OF THE WILKES-BARRE CHAMBER OF BUSINESS AND INDUSTRY'S ATHENA AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Dr. Patricia Donohue, president of the Luzerne County Community College, in Nanticoke, Pennsylvania, who was a recipient of the Wilkes-Barre Chamber of Business and Industry's prestigious "Athena Award."

The Athena Award honors women who show excellence in business accomplishments, community service, personal achievements, and assisting the efforts of other women working toward their full leadership potential.

The concept started in 1980 when Martha Mayhood Mertz, then serving on the Board of Directors of the Lansing Michigan Regional Chamber of Commerce, realized that only one woman was recognized for excellence in her Chamber in 75 years. Since its inception in Michigan, thousands of ATHENA Awards have been presented throughout North America, Eastern Europe, Asia, and the Middle East.

The Greater Wilkes-Barre Chamber has honored local women for their achievements since 1985. MotorWorld Automotive Group has remained a sponsor of the Greater Wilkes-Barre Chamber's ATHENA Award during that tenure.

Dr. Donohue oversees a $36 million budget and remains active in the community volunteering her time with several organizations. She has spent countless hours providing guidance and mentorship to female professionals and young women.

Dr. Donohue is a member of the board of directors of the Luzerne Foundation, Osterhout Free Library, F.M. Kirby Center and the Greater Wilkes-Barre Chamber. She is a member of the Council of Presidents of Luzerne County and serves on the board and executive committee of the Joint Urban Studies Center.

Dr. Donohue has made a lifelong commitment to Girl Scouting and serves on the Executive Committee of the Girl Scouts of Penn's Woods Council. She served as the first chair of the NEPA Technology Institute and is a graduate of the Leadership Wilkes-Barre Executive Leadership program and the Lackawanna Leadership Executive Program.

She is a member of the National Institute for Leadership Development and has sponsored/mentored more than 50 women for leadership training. Dr. Donohue serves on the Board of the American Association of Women in Community Colleges and on the United Way Campaign Cabinet.

Among her many awards are the Outstanding Leadership Award from the American Association of University Women, Harrisburg and the Central Penn Technology Council's Outstanding Service Award. She has been recognized by Who's Who in America and the Outstanding Young Women of America and is the recipient of the Outstanding Service Award from the American Cancer Society, the Merit Recognition Award from Harrisburg Area Community College, and was named Community Woman of the Year by the American Business Women's Association.

Mr. Speaker, please join me in congratulating Dr. Donohue on this important occasion. Dr. Donohue's commitment to the advancement of women and her devotion to community service have enhanced the quality of life greatly in the Wyoming Valley. It is fitting, indeed, that she be selected for this unique honor.

TRIBUTE TO NATIONAL ASSOCIATION OF THE WOLVES

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. HART. Mr. Speaker, I would like to take this opportunity to recognize the National Association of the Wolves and its member dens for all of their work in the community.

The National Association of the Wolves was founded approximately seventy-five years ago by a group of Italian-American businessmen in New Castle, Pennsylvania. With over 400 members in 14 dens (12 in Western Pennsylvania and 2 in Eastern Ohio), the Wolves promotes higher education among high school students by awarding college scholarships. Over the years, the National Association of the Wolves has raised over $6.1 million for 2,537 students. In addition to providing scholarships, the Wolves have established endowments at colleges and universities across Western Pennsylvania.

The National Association of the Wolves will hold their national convention August 18 and 19, 2006 at the Avalon Inn in Warren, Ohio.

I ask my colleagues in the United States House of Representatives to join me in recognizing the National Association of the Wolves. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a dedicated group like the National Association of the Wolves.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today to explain my missed votes of yesterday June 12, 2006. Unfortunately, due to maintenance problems with numerous airplanes I was not able to arrive into Washington, DC until the votes had already closed. Had I been here for rollcall votes 521, 522, 523, 524, and 525 I would have voted aye on all 5 votes.

Mr. Speaker, for far too long the Nation of China has had a record of abusive and abhorrent human rights violations. I am pleased that H. Res. 608, H. Res. 804, and H. Res. 794 were brought to the House floor to bring attention to the continued religious persecution and to remember the horrible events in Tiananmen Square. We must continue to hold China accountable for its actions and these resolutions were a step in the right direction.

I am also glad that H. Con. Res. 338 was brought to the floor again calling on the nations of the Western Hemisphere to work together in combating Islamist terrorist organizations. Terrorism will never be an issue on which we can rest and we must ensure that all nations are working together to secure our borders and our nations against terrorist activities.

Again, I am sorry I was unable to be here for the votes on June 12, 2006, but I hope this explanation adequately conveys my support for these 5 votes.

IN HONOR OF THE 25TH ANNIVERSARY OF THE CORNELIA DE LANGE SYNDROME FOUNDATION

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to recognize and congratulate the Cornelia de Lange Syndrome Foundation on its 25th anniversary of Reaching Out, Providing Help and Giving Hope to children and their families across the country.

The CdLS Foundation is an outstanding organization that has been serving people and families living with Cornelia de Lange Syndrome since 1981. Their national headquarters is located in the Fifth District of Connecticut, which I represent. The Foundation is a nonprofit, family-support organization that works to promote early and accurate diagnosis of CdLS, advance research into the causes of the condition, and assist those with CdLS throughout their lives. Their efforts impact the lives of people throughout the United States.

Mr. Speaker, CdLS is a congenital condition, which means it is present from birth. It impacts on virtually all of a person's being. Physical and mental manifestations of CdLS may include: missing limbs or fingers; severe reflux; feeding difficulties; cleft palate; eye problems; hearing loss; seizures; and behavioral issues. Overall, cognitive and physical development is slowed, and delays in speech and communication are even more pronounced.

The foundation celebrated a medical and scientific breakthrough in April 2004 when a research team led by scientists at the Children's Hospital of Philadelphia identified a gene on chromosome 5 that, when mutated, causes CdLS. NIH recently made a substantial grant to support continued research designed to help families and scientists alike understand the cause of CdLS and improve care for people living with this diagnosis.

As a result of this discovery, we now know that CdLS affects approximately 1 in 10,000 live births, and it is thought to be present in as many as 20,000 children who have not been diagnosed. The foundation faces a significant challenge as it attempts to reach out to families who have a child with CdLS, especially those with more mild cases. Interventions and strategies for managing the syndrome and caring for these children can only be utilized once the presence of the syndrome has been confirmed.

In order to raise the visibility of the syndrome, the foundation distributes publications to families and medical professionals, and hosts meetings and conferences where researchers and families can meet to exchange information. The foundation also acts as a facilitator between families and the medical community, utilizing the expertise of its Clinical Advisory Board, a team of more than 40 clinical and education professionals who act as on-call advisors.

Once a family understands that their child has been touched by the syndrome, the foundation relies on its strong volunteer network to support children and families affected by CdLS, as well as educate local community members, government officials, and media about the syndrome. Most of these volunteers are family members of someone living with CdLS.

Mr. Speaker, I am proud that an organization with such integrity and willingness to help their fellow citizens has called Avon, CT its home. I ask my colleagues to join me in thanking and recognizing the Cornelia de Lange Syndrome Foundation for its tremendous efforts.

PAYING TRIBUTE TO DR. TOMMY CROOKS

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. BACHUS. Mr. Speaker, doctors of optometry from around the Nation will convene in Las Vegas, NV, June 22–26 for the American Optometric Association's 109th annual convention. On Saturday, June 24, they will elect Dr. Tommy Crooks as the association's 85th president.

Doctors of optometry are the Nation's largest eye care profession, serving patients in nearly 6,500 communities across the country, in more than 3,500 of these communities; they are the only eye doctors. The American Optometric Association is the professional society for optometrists nationwide and has more than 34,000 members. Dr. Crooks will lead the association on its mission to improve eye and vision care in the United States.

Dr. Crooks is a resident of Birmingham, AL. He is a native son, a 1975 graduate of the University of Alabama and a 1979 graduate of the University of Alabama's School of Optometry who has practiced optometry in our State for 27 years. He is currently president and CEO of Eyecare Associates, Inc., in Birmingham, AL, a group practice consisting of 19 locations and 33 doctors.

Dr. Crooks has been a leader in his profession at the State, regional and national levels. He has been a member of the Alabama Optometric Association since 1979, serving as president in 1990. In 1985, the Alabama Optometric Association named Dr. Crooks Alabama Optometrist of the Year. He is also a past president of the Southern Council of Optometrists and the Birmingham Area Optometric Society and in 1990 was named University of Alabama-Birmingham Alumnus of the Year.

At the national level, Dr. Crooks has been a member of American Optometric Association, AOA, since 1979, and has served in the association's volunteer structure since 1989. He was elected to the AOA Board of Trustees in 1999 and was re-elected in 2002.

Dr. Tommy Crooks has built a distinguished record of service and leadership in his profession and in his community. I am confident that he will have a very successful term as president of the American Optometric Association. I join his wife Kaye and their two sons, his friends and colleagues in congratulating him on this achievement and wishing him good luck and good health.

RECOGNIZING THE INDUCTION OF LIEUTENANT COLONEL FRED H. CARLEY INTO THE MOBILE, AL, HALL OF FAME

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. MILLER of Florida. Mr. Speaker, it is a great honor for me to rise today to extend my congratulations to LTC Fred H. Carley for his induction into the Mobile Alabama Hall of Fame. As a resident in my district, Mr. Carley has left a great and lasting impact on Northwest Florida and Southeastern Alabama.

Fred Carley has always served as an active member in his community, be it encouraging young people through physical fitness and activities or proudly serving his country as an officer in the Air Force. A native of the Fowl River community in south Mobile County, AL, Fred Carley earned three degrees during his two active military tours at Auburn University, where he excelled in athletics, the arts, and academics.

During his professional career as an engineer, he still found time to coach both the Murphy High School and University of South Alabama track and cross-country teams, which went on to win many awards. Since his transfer to Eglin Air Force Base in 1969, Fred Carley has contributed to the fitness and well-being of countless young athletes in Northwest Florida, often leading them to national records and championships. He has also served as a member of the Senior Bowl Committee, SEAAU chairman of athletics, and president of the Air Force Engineering Association.

Lieutenant Colonel Carley has received many awards for his achievements. He was honored with the Presidential Physical Fitness Leadership Award, selected as 1 of 12 in the Nation, in 1964. He was also elected to the U.S. Military Packaging Hall of Fame for his work with the Department of Defense.

Mr. Speaker, the dedication that Frank Carley has shown to his students, community, and country is immeasurable. His service as a coach, mentor, U.S. Air Force officer, and engineer has benefited so many in Florida's First District and its surrounding areas for over 50 years. I congratulate LTC Frank Carley for his induction into the Mobile Alabama Hall of Fame and wish to thank him on behalf of the United States Congress for serving as a strong role model for generations to come.

TRIBUTE TO DONNIE IRIS

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. HART. Mr. Speaker, I would like to take this opportunity to recognize Donnie Iris, an entertainer who hails from my district, Beaver Falls, Pennsylvania.

Donnie Iris, a singer, first learned how to sing from his mother. In 1970, as a member of the Jaggerz, he earned a gold record for writing and singing the song ''The Rapper''. He then formed ''Donnie Iris and the Cruisers'' with his friend Mark Avsec. The band had the hit song ''My Girl'' and began to tour non-stop in 1980.

In August 2004, the band celebrated their 25th anniversary. This past May they released the album ''Ellwood City''. The title track ''Ellwood City'' is reminiscent of Iris's childhood growing up in the area. On Saturday, June 17, 2006 Armstrong cable is hosting an event honoring the musical achievements of Donnie Iris at the Folino Entertainment Stage in Ewing Park.

I ask my colleagues in the United States House of Representatives to join me in recognizing Donnie Iris and all of his musical and entertainment accomplishments. It is an honor to represent the Fourth Congressional District of Pennsylvania.

CONGRATULATING THE GREATER HAZLETON CAN-DO ON ITS 50TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to the Greater Hazleton CAN-DO organization on the occasion of its 50th anniversary.

In 1956, when the deep anthracite coal mines were closing and regional unemployment reached 30 percent, Dr. Edgar Dessen, a local radiologist, formed a new committee to investigate how best to go about economic development.

Realizing that they would need funds to pursue their objectives, they began collecting dimes solicited from the regional citizenry. The unusual fundraiser netted about $14,000, enough to buy more than 800 acres of land that became the Valmont Industrial Park. Eventually, it would grow into a 4,000–acre industrial corridor that would need major investment for infrastructure.

Dr. Dessen set a goal of $500,000 to be raised in three weeks. A local banker told him ''You can't do that!'' But, he replied, ''Yes, we can do.'' Thus was born the CAN-DO organization, an acronym that preceded the title which later was proclaimed to be the ''Community Area New Development Organization.''

Indeed, in that first major fundraiser, CAN-DO did not raise $500,000; it raised $740,000. Two more fund drives followed. One yielded $830,000, while the second raised $710,000.

The Valmont Industrial Park development was so successful that CAN-DO eventually acquired 1,150 more acres of land and created the Humboldt Industrial Park nearby.

Over the years, CAN-DO has been responsible for the development of over 3,500 acres for economic development, created 20,000 new jobs, increased the area's payroll by $240 million, leveraged private investment of more than $1.5 billion, and increased the local tax base by 20 percent.

Mr. Speaker, please join me in congratulating the CAN-DO organization on this auspicious occasion. Those associated with CAN-DO over the past 50 years have made significant contributions to the quality of life in the greater Hazleton area and, for that, we should all be grateful.

TRIBUTE TO JEWISH AMERICAN HERITAGE MONTH

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to reflect on the inaugural Jewish American Heritage Month, which was celebrated across the country throughout the month of May. With the history of racial intolerance our country has witnessed, I believe we must remain steadfast in providing future generations opportunities to learn about the varied faiths and cultures that make this country so great.

I am especially pleased that my colleague Congressman JOE BACA hosted a Special Order condemning hate crimes and racial intolerance. We must fight intolerance and stop the spread of hate-inspired acts and images, and I thank Congressman BACA for leading this important discussion.

Mr. Speaker, we have seen how the national observance of Black History Month and Hispanic Heritage Month have brought, through education, greater awareness of the African American and Hispanic communities' contributions to our country. This past May, the many accomplishments of American Jews were recognized by the proclamation of Jewish American Heritage Month, issued by President Bush.

When the Jewish community in Miami approached me with the idea to help designate a month to honor the contributions of American Jews, I realized the potential impact of this endeavor. It is my hope that Jewish American Heritage Month will make a difference in the fight against anti-Semitism.

To those who would teach hate to their children, it might surprise them to learn that a Jewish man, Haym Salomon, was one of the largest financiers of the American Revolutionary War. To those who would paint graffiti on Jewish buildings, they should know that they have benefited from advances in medicine, trends in popular culture, and technological inventions, all developed by many famous and not-so-famous American Jews.

Fortunately, we have leaders in government, the business community, law enforcement, and education who work to eliminate hateful words and actions and encourage acceptance and sensitivity to diversity.

I am grateful to my colleagues who recognized the benefits that Jewish American Heritage Month would bring to the country, and I thank them for their unanimous support.

Mr. Speaker, thank you for your support and commitment. Throughout the process, you were an instrumental and invaluable advocate.

Leader PELOSI, Whip HOYER, and Congressman WAXMAN, thank you for your leadership and guidance.

And I'd especially like to thank Chairman HENRY HYDE—who was the lead Republican cosponsor of the House resolution.

Chairman HYDE helped immensely with spreading awareness of this resolution to our colleagues and the White House. I'd also like to acknowledge and thank Senator ARLEN SPECTER who introduced and worked to pass identical legislation in the Senate. And once again, I would like to thank my colleagues, who unanimously passed the resolution.

The amount of support for this initiative has been nothing short of inspirational:

As the inaugural Jewish American Heritage Month comes to an end, national prominence of American Jewish heritage continues in communities across the country. In fact, many Jewish communities began their observances even prior to May.

At the end of April, the Jewish Museum of Florida held a press conference with several community leaders to announce the Proclamation's release.

At the beginning of May, the American Jewish Committee incorporated a celebration of Jewish American Heritage Month into their 100th Anniversary celebration here in Washington.

On May 11th, the National Museum of American Jewish History in Philadelphia honored Senator SPECTER and celebrated the establishment of Jewish American Heritage Month at their annual gala dinner. On May 23rd, the Jewish Historical Society of Greater Washington hosted a breakfast reception in the Capitol where several Members including Representatives HYDE, RANGEL, CARDIN, BERKLEY, and LEWIS. And just last week, Mayor Michael Bloomberg recognized the conclusion of the inaugural Jewish American Heritage Month at a Jewish Heritage New York event at Gracie Mansion.

Like so many of the ideas that generate in this body, the creation of Jewish American Heritage Month all started with one community that wanted to make a difference.

I would like to thank two talented and dedicated women who helped lead this effort in Miami: Marcia Zerivitz of the Jewish Museum of Florida and Judy Gilbert-Gould of the Jewish Community Relations Council of the Greater Miami Jewish Federation.

Finally, Mr. Speaker, I would like to thank the Jewish Historical Society of Greater Washington and its Lillian & Albert Small Jewish Museum, who brought the celebration of Jewish American Heritage Month to the Capitol Building.

I respectfully request that the remarks made by their Executive Director Laura Apelbaum and their President Peggy Pearlstein be placed into the CONGRESSIONAL RECORD.

May 23, 2006 Jewish Historical Society of Greater Washington event honoring the presidential proclamation of May as American Jewish Heritage Month.

Laura Apelbaum, Executive Director:

Good Morning. I am Laura Apelbaum, the Executive Director of the Jewish Historical Society of Greater Washington and its Lillian & Albert Small Jewish Museum. On behalf of our board of directors and members, I want to welcome you today to this very special event.

I think we all can appreciate that as Jews living in America we are called upon to have a little bit of knowledge about a lot of history—ancient history, biblical history, Talmudic history, and Holocaust history to name just a few. Lesser known in our community and less well understood are the rich stories of American Jewish history—the stories beyond our own personal history that tie us to the Jewish community and to the national American story.

In 1795, shortly after the site of the nation's capital was selected, the first Jew arrived in the new federal district of Washington. Fittingly, he was a real estate developer who built office townhouses for new federal government offices of the Department of War and State. Over the next two centuries, he was followed by tens of thousands of Jews, all of whom have become part of our community's history. Their lives and deeds tell a unique story of both a hometown and a capital city.

The story of Washington's Jewish community is in many ways similar to that in other communities across the country. Many of Washington's early Jews, my great grandfather among them, arrived in port cities and to avoid the sweatshops of New York and Chicago made their way to DC to open small Mom & Pop shops— groceries, furniture stores, tailors, jewelers. The presence of the federal government had a profound effect. Their clientele included Presidents, Supreme Court Justices and Congressmen. The few who served in the federal government for the century preceding the New Deal gave way to a wave of young intellectuals who arrived to serve a burgeoning federal government in the 1930s and '40s.

By the 1950s many of the small shops had grown into large downtown department stores, Hecht's, Landsburgh's and Kann's or other stores that spread with the community to the suburbs. Along the way the Jewish community organized synagogues and Jewish communal organizations.

Continued growth and prosperity in the post WWII era and into the ''modern'' era have created a community that spans three jurisdictions—DC and the Maryland and Northern Virginia suburbs and includes more than 215,000 members. We are now the sixth largest Jewish community in the country.

The Jewish Historical Society of Greater Washington is the nation's central archives for this special community. Our collections are open to community members and researchers. Our programs, publications, and exhibits recount our unique communal history—at once local and national.

We first learned of the effort to create a special month to call attention to Jewish American heritage from a colleague, Marcia Zerivitz, the dynamic director of the Jewish Museum of Florida. It seemed to us entirely appropriate to mark the creation of this special month by honoring the many representatives and Senators—our friends and neighbors—that introduced the Congressional Resolution that led to President Bush recently proclaiming May 2006 as Jewish American History month.

Presentation—Society President Peggy Pearlstein: Ms. Wasserman Schultz, Chairman Hyde, Chairman Specter, special guests and friends:

In 1654, 23 Jews fled Recife, Brazil, and landed in New Amsterdam (now lower Manhattan) in search of political and religious freedom. These men, women, and children were the first of millions of Jews to seek refuge in America—the vanguard of today's American Jewish community—now the largest in the world.

One hundred and thirty years ago on June 9, 1876, a small yet committed Jewish congregation gathered to see their dreams of building their own shul come to fruition. In the presence of President Ulysses S. Grant, they dedicated a small but beautiful synagogue building that stands just at the foot of Capitol Hill at 3rd and G Streets, NW.

That building has been a witness to the history of the Jewish community, our city and our nation. It stands as a testament to the endurance of our community and to the commitment we have to preserving and caring for our past as we face the future.

Our Jewish Historical Society is committed to restoring this special building and to educating our community especially its youngest members about immigrant history, city history, and the continuing story of Jewish life in and around our capital city.

To commemorate the 130th anniversary of our local treasure, we have begun a major restoration initiative to ensure the buildings' existence for many years to come. The building stands as a reminder of where we came from and its legacy, an important part of where we are going.

You can learn more about our community at a comprehensive exhibit now on display at the National Building Museum through July 4th. This exhibit, Jewish Washington: Scrapbook of An American Community, recounts the role that Washington area Jews have played in American Jewish life and in the nation's history.

This past year, Representative Wasserman Schultz and members of her district coordinated a nationwide effort to support passage of a resolution calling for a Jewish American Heritage month. They were joined in their efforts by Representative Hyde and Senator Specter resulting in unanimous approval, in both houses of Congress for the resolution. In April, President Bush signed the proclamation declaring the inauguration of Jewish American Heritage Month in May.

We have gathered to celebrate this Presidential Proclamation and to honor the three members of Congress who introduced the resolution supporting that proclamation:

It is my pleasure to present each of them with a very special gift.

This is a tzedakah box that is a miniature of the historic 1876 synagogue which our organization stewards. It was the first permanent home to Adas Israel Congregation. I hope that it will remind you of our appreciation for your role in commemorating Jewish American Heritage.

Congresswoman Debbie Wasserman Schultz, 20th District of Florida.

Congressman Henry Hyde, 6th District of Illinois.

Senator Arlen Specter, State of Pennsylvania.

We also would like to take this opportunity to present a tzedakah box to President Bush and ask Jay Zeidman to accept on the president's behalf.

I want to thank everyone for attending what we hope will become an annual event.

INTRODUCTION OF THE ''SOLAR UTILIZATION NOW (SUN) ACT OF 2006''

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. SMITH of Texas. Mr. Speaker, today I have introduced the "Solar Utilization Now (SUN) Demonstration Act of 2006."

The "SUN Act" encourages state governments and private industry to team up to apply for federal grants. This will enable them to buy solar energy panels at nearly half the cost.

This bill is good for our energy security, national security and environmental security.

The answer to much of our energy needs comes up every morning. Solar power is clean, plentiful and has zero emissions and zero waste.

All states are eligible to participate and are required to contribute at least 10 percent of the funding. The federal government matches the grant at a maximum of 40 percent. The rest of the money comes from utilities or private industry.

Congress has a responsibility to help promote this new technology and I am pleased that this bill already has significant bipartisan support.

RECOGNIZING THE JAVITS-WAGNER-O'DAY PROGRAM AND THE SAN ANTONIO LIGHTHOUSE FOR THE BLIND

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. GONZALEZ. Mr. Speaker, I rise today in support of the Javits-Wagner-O'Day Program, often referred to as JWOD. This important federal program provides needed employment opportunities for people with disabilities. In fact, JWOD provides more than 40,000 Americans who are blind, or who have other severe disabilities, with the job skills and training necessary to earn good wages and benefits, allowing them to gain greater independence and quality of life.

People with disabilities are often underserved in this nation. They traditionally face an unemployment rate of 70 percent, and thus rely heavily upon social support programs. JWOD empowers these Americans by helping them enjoy full participation in their community and marketing their JWOD skills into other public or private sector jobs. This, in turn, increases their independence and self-esteem.

The National Industries for the Blind (NIB) and NISH work with local nonprofit organizations nationwide to create new employment opportunities for people with blindness or severe disabilities. Such efforts benefit my constituency in San Antonio, Texas. Demonstrating a superlative federal-private sector partnership, NIB, NISH, and local nonprofits, such as San Antonio Lighthouse for the Blind, enhance opportunities for economic and personal independence for people who are blind or who have other severe disabilities, primarily through creating, sustaining, and improving employment.

Through the JWOD program, San Antonio Lighthouse for the Blind provides employment opportunities and training for over 5,000 people each year with visual and other severe disabilities. This enables them to lead more productive and meaningful lives, support their families, and gain important work experience.

On behalf of people with disabilities, I recognize and honor the important contributions of JWOD and the San Antonio Lighthouse for the Blind. Their tireless work to enhance employment opportunities for people with visual and other severe disabilities does a great service to the city of San Antonio and its citizens.

TRIBUTE TO HOUR OF POWER FULL GOSPEL TABERNACLE, INC.

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Hour of Power Full Gospel Tabernacle, Inc. of Farrell, Pennsylvania on its 30th anniversary.

On Saturday July 1, 2006 the Hour of Power Full Gospel Tabernacle, Inc. will hold its 30-year anniversary celebration at the Shenango Valley Senior Center in Hermitage, Pennsylvania. At the celebration the church will also hold a Recognition Banquet.

I ask my colleagues in the United States House of Representatives to join me in congratulating Hour of Power Full Gospel Tabernacle, Inc. on its 30th Anniversary. It is an honor to represent the Fourth Congressional District of Pennsylvania.

HONORING THE CITY OF MERIDEN, CONNECTICUT ON THE OCCASION OF ITS 200TH ANNIVERSARY

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to honor the City of Meriden, Connecticut, on the occasion of its 200th Anniversary on June 16, 2006.

This city was known as the North Farms area of nearby Wallingford until 1806, when it was officially recognized as the Town of Meriden. The 1800s saw the beginnings of what would become a torrent of manufacturing activity in the city. Belts, hoops, pewter, guns, cutlery, nails, buttons, lamps, ivory combs, tin ware, organs, coffee grinders, and silver—the product that would lend its luster to Meriden's reputation as the ''Silver City''—were all manufactured here. Stately mansions were constructed as manufacturers prospered. As the thriving city's population grew to over 24,000 in 1900, the Castle Craig was dedicated in Hubbard Park and the Curtis Memorial Library opened soon thereafter.

In the 1920s, the airport was built and the downtown traffic tower erected. Although the world wars and the depression brought hardships to the city as well as to the rest of the country, in March 1944, Meriden was proudly honored as ''The Nation's Ideal War Community'' for its industrial and patriotic contributions to the Nation.

During the mid-1900s, some of the city's older businesses, including International Silver, moved or closed. Urban redevelopment changed the look of some sections, but the ''pleasant valley''—possibly the ancient meaning of the name Meriden—endured. Newly arriving immigrants added their own energy to the growing town. Civic groups grew in numbers and in service; daffodils, long planted at Hubbard Park, became the city's official flower with the celebration of the inaugural Daffodil Festival in April 1978.

In recent years, Meriden's downtown has undergone a renaissance, as a new hospital was erected and many corporate headquarters relocated to the east side of town on Research Parkway. City manufacturing firms produce electronics, nuclear instruments, automotive devices, plastics, gaskets, communications equipment, filters, vaccines, jewelry, food, candy, pewter, tools, and machines. The city is proud of its past as it eagerly embraces its future.

Mr. Speaker, I am proud to represent the city of Meriden in the United States House of Representatives, and I extend my best wishes to the city and its citizens for another 200 years of prosperity.

IN RECOGNITION OF HAYLEY HEATH FOR OUTSTANDING ACADEMIC ACHIEVEMENT THROUGH NATIONAL HISTORY DAY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. MILLER of Florida. Mr. Speaker, it is a great honor for me to rise today to extend my congratulations to Hayley Heath, a student in my district whose academic achievement in her National History Day project will be shared with the Nation.

National History Day encourages students to examine the past in order to create a better future. The students' projects allow for creativity in displays through exhibits, documentaries, and performances as they focus on a specific event or time period in history. In shaping America's future leaders, educators share a certain responsibility in allowing young people the opportunity to thoroughly examine and analyze the subject of history.

Hayley Heath, a student at the PATS Center in Pensacola, Florida, is one student who is seizing this opportunity. Her National History Day project, entitled ''Forcing Justice: James Meredith Takes a Stand against Segregation at Ole Miss,'' won her great recognition at the district and State levels. Hayley was chosen as one of the twelve students selected from over thousands of entries across the Nation to display her National History Day exhibit in the White House Visitor's Center on June 15, 2006.

Mr. Speaker, on behalf of the United States Congress, I would like to offer my sincere congratulations to a student who serves as a shining example of the hope we invest in the future of our Nation. I congratulate Hayley for her achievement and the recognition she will receive, and commend her for all of her hard work and dedication. I join with the citizens of Florida's First District in wishing her the best in all her future endeavors and thanking her teachers for their guidance as they continue to strive for academic excellence.

IN SUPPORT OF H.R. 850

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. JOHNSON of Illinois. Mr. Speaker, in the course of my excused absence from official duties on Thursday, June 8, 2006, I regrettably missed the vote on the question of consideration of H. Res. 850, providing for consideration of the bill H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006. A point of order arose on the grounds that the bill included unfunded mandates as defined by the Congressional Budget Office, CBO.

It was argued that based on supposed intergovernmental mandates identified by CBO, the threshold required under the rule for identifying the unfunded mandate had been met, and thus was subject to a point of order. CBO stated that in implementation of the COPE Act, new entrants along with incumbent cable

providers, while engaged in a national franchise as proposed by the bill would be required to pay each franchise authority six percent of their gross revenues as a fee to support use of local rights-of-way and local Public Education Government channels. This payment was seen as an unfunded mandate.

However, under all franchise agreements across the country, companies are required to pay this type of fee in some form. It is not something newly mandated. I believe that the bill merely continues, and in most estimates, could exceed, the current flow of money from cable providers to local franchise authorities. In doing this, I believe the bill's authors intended to make sure that cities would not lose revenue they counted on from local franchise agreements, and I fully support that cause.

Due to this, I would have supported the opportunity to consider H.R. 5252, so that a true debate could continue on the underlying provisions of the bill.

PERSONAL EXPLANATION

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. BACHUS. Mr. Speaker, I was inadvertently detained and missed rollcall votes No. 251–254. Had I been present I would have voted "aye" on each.

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

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this defense supplemental without hesitation, but with a number of concerns.

As I've said in the past, I opposed the resolution authorizing the use of force in Iraq because I thought President Bush's decision to begin military action in Iraq was premature. I thought it would have been better to allow more time for other measures, including coercive inspections, to accomplish the goal of disarming Saddam Hussein. However, Congress—by adopting the resolution authorizing the use of force—left it to the President to decide if and when military action would begin.

But with our troops still in the field, actively engaged in operations that Congress has authorized, we have an obligation to fund those operations. I won't make our soldiers the victims of my regrets by failing to support this bill to provide them what they need to carry out those operations.

It's too bad the Republican leadership evidently didn't see the urgency in getting this funding to our troops to pay for key equipment and benefits. The president requested this funding back in February, but somehow the Republican leadership couldn't get it done until now. In the interim, the Army was forced to cut back on ordering spare parts and supplies and freeze civilian hires, among other constraints.

So I'm glad we're finally focusing on this legislation today, which includes funding for military operations in Iraq and Afghanistan, as well as funding to train and equip the military and police forces of those countries. I'm pleased that the conference report funds more up-armored Humvees, provides nearly $2 billion to procure and develop countermeasures to prevent improvised explosive device attacks on our troops in Iraq and Afghanistan, and funds the recently enhanced $100,000 death benefit for soldiers' families.

I'm also pleased that—more than 9 months after Hurricane Katrina struck—the conference report includes funding for levee improvements and for Community Development Block Grants for the Gulf Coast States. The report also includes important funding for pandemic flu preparedness and for border security.

I do have strong concerns about some things that are in this conference report and some things that were left out.

I am disappointed that it does not include the additional funds that the Senate approved for work to reduce the increased danger of severe wildfires in Colorado forests caused by prolonged drought and insect infestations.

After the Senate acted, I wrote the House conferees to point out that these factors have raised to emergency levels the risk to our communities. I noted that hazardous-fuel reduction projects can reduce that risk, and our State has hazardous fuels projects waiting to be implemented but lacking adequate funding to do so. Unfortunately, the conferees did not include in the conference report the Senate-passed increase to the National Forest System to reduce the risk of catastrophic fires and mitigate the effects of widespread insect infestation.

I am also disappointed that the conference report does not include language prohibiting permanent military bases in Iraq. The House-passed bill contained a provision that I supported—H. Amdt. 750—which would ensure that no funds in the bill would be used to enter into a base agreement with the government of Iraq. The Senate-passed bill also contained a similar amendment—S. Amdt. 3855—which would prohibit funds to establish permanent military bases in Iraq or to exercise control over the oil infrastructure or oil resources of Iraq.

But the conference report includes neither version of this language, which I find baffling, since the clear will of both bodies was expressed through the passage of these amendments. Policymakers and experts across the political spectrum agree that the U.S. should make clear that it does not seek a permanent military presence in Iraq. GEN. George Casey has testified that gradually lowering the visibility of U.S. troops will remove one of the elements fueling the insurgency. And Defense Secretary Donald Rumsfeld has testified that, "We have no desire to have our forces permanently in that country. We have no plans or no discussions under way to have permanent bases in that country." I believe that Congress should have joined the administration in affirming this principle to send a clear signal to the Iraqi people that we fully support their efforts to establish democracy and exercise sovereignty.

Finally, I believe the administration must begin to take responsibility for the full cost of the war in Iraq and consider these costs through the regular appropriations process. With the enactment of this supplemental, Defense Department spending for operations in Afghanistan and Iraq will reach $400 billion, with the majority of that provided for Iraq. Even though we are now more than 3 years into the conflict, virtually all of this money has been provided for Iraq as "emergency" funding and has not been offset. But there is no "emergency" here. So much of the costs are predictable. Instead, by funding this war through supplementals, the Bush administration avoids having to make tough choices—like raising taxes or making deep spending cuts. The American people deserve greater candor from the administration about both the predictable costs as well as the anticipated benefits of our undertakings in Iraq. I've attached a May editorial from the Rocky Mountain News that amplifies this point.

Nonetheless, as I said, I will vote for this bill without hesitation because its prompt passage is needed not just to support our men and women in uniform as they fight, but also to continue to lay the foundation for the harder mission of stabilizing Iraq.

[From the Rocky Mountain News, May 4, 2006]

A CRAZY WAY TO FUND THE WARS: IRAQ SPENDING IS NO LONGER AN 'EMERGENCY'

A congressional emergency spending measure is meant to be a quick response to sudden, unexpected and generally one-time events, the Gulf Coast hurricanes being an excellent example. The emergency bills are handled outside the regular budget process and under much looser rules.

The wars in Iraq and Afghanistan, although obviously serious, hardly qualify as emergencies in the normal sense. Yet that is how the Bush administration and Congress insist on funding them, even though we're in our fifth year on one and fourth year on the other.

The result is that Congress has a poor grip on the wars' costs and how they fit in with other competing budget priorities. And the process has allowed Congress to avoid the question of how we are going to pay for those wars.

The Senate took advantage of the urgency of the latest emergency funding bill for Iraq, Afghanistan and hurricane relief to load it up with money for Hawaiian sugar growers, a Northrop Grumman shipyard, riverbank erosion in California and farm relief, among other largesse. A $92 billion bill is now around $108 billion.

The wars are not going away. The president himself has indicated we are likely to be in Iraq at least another 3½ years. Its annual cost has risen from $51 billion in 2003 to $102 billion this year, and the meter is running at about $9 billion a month. In a few weeks the total will surpass $320 billion, and Congress' analysts estimate that even if troop withdrawals begin this year, a best-case scenario, the costs of a phase-out in Iraq and Afghanistan will run an additional $371 billion.

As was done in previous wars, the expected cost of Iraq and Afghanistan should be submitted as part of the regular annual federal budget, and Congress should give it the regular line-by- line scrutiny it gives every other part of the budget. This might have prevented the squandering in Iraq of the vast sums meant for reconstruction.

Congressional researchers complain that the Pentagon has refused to give them data

on current and cumulative cost obligations for the wars as well as one-year and five-year estimates. In the normal budget process, the Pentagon would have to provide those figures.

Incorporating war costs in the regular budget, Congress would no longer be able to compartmentalize, treating those expenditures as an aberration while going about business as usual elsewhere. Those expenditures are no aberration, and it's not business as usual.

''BLUSTER BACKFIRES''

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. FRANK of Massachusetts. Mr. Speaker, anyone who doubts the wisdom of the constitutional requirement that important officials be confirmed by the Senate before taking up their jobs should ponder the disastrous example of John Bolton, whom the Senate declined to confirm as Ambassador to the U.N., and who received a recess appointment from President Bush. His tenure has been disastrous, leading to a diminution of American influence and a failure to accomplish legitimate American goals.

Like many other Americans, I greatly regretted the fact that Deputy Secretary General Mark Malloch Brown recently gave a speech strongly critical of America's role regarding the U.N., but my regret was aimed not at Mr. Brown for giving the speech, but at the Bush administration, and specifically Ambassador Bolton, for actions that led to the speech. As a Member of Congress, I am troubled by the fact that I have to agree with the substance of a speech so sharply critical of our Government, but I believe that Mr. Brown did us a service in speaking out, because it may alert my colleagues in Congress and the American people in general of the need to press for a change in the disastrous policies that Ambassador Bolton pursues in the President's name.

In the Washington Post on Monday, June 12, Sebastian Mallaby wrote a thoughtful and persuasive piece about the Bolton record. Because the current situation regarding our representation of the U.N. does so much damage to legitimate American interests, Sebastian Mallaby's column is particularly welcome and I hope will be strongly considered by President Bush, Secretary Rice, and other policy makers in this administration. It is also very important for those of us in Congress to understand his points and I ask that his column be printed here.

[From the Washington Post, June 12, 2006]

AT THE U.N., BLUSTER BACKFIRES

(By Sebastian Mallaby)

Last month President Bush issued a rare apology. ''Saying 'Bring it on,' kind of tough talk, you know, that sent the wrong signal,'' he confessed. ''I think in certain parts of the world it was misinterpreted.''

Well done, Mr. President, you've understood that bluster can backfire. Now how about sharing this insight with your ambassador to the United Nations?

John R. Bolton, the ambassador in question, has a rich history of losing friends and failing to influence people. He was notorious, even before arriving at the United Nations last year, for having said that 10 stories of the U.N. headquarters could be demolished without much loss; he had described the United States as the sun around which lesser nations rotate—mere ''asteroids,'' he'd branded them. Perhaps not surprisingly, the Senate refused to confirm Bolton as U.N. ambassador. ''Arrogant,'' ''bullying,'' and ''the poster child of what someone in the diplomatic corps should not be,'' Sen. George Voinovich called him.

Bush sent Bolton anyway, bypassing the Senate by appointing him during a congressional recess. It soon turned out that dismissing foreign ambassadors as asteroid dwellers was merely a warm-up. As soon as Bolton got to New York, he blew up the preparatory negotiations for a gathering of heads of state, insisting that the other 190 members of the world body immediately agree to hundreds of changes in the summit document.

If Bolton had picked a fight on a worthwhile issue, this might have been justified. But one of the chief aims of his edits was to eliminate all mention of the anti-poverty Millennium Development Goals, even though these targets for reducing child mortality and so on are inoffensive. After a week of Bolton-induced bureaucratic battles, Secretary of State Condoleezza Rice weighed in, explaining that the administration actually had nothing against the development goals. When the summit convened, Bush himself had to declare during his speech that he supported the targets that his ambassador had repudiated.

Bolton's next triumph was to demand U.N. reform, or rather to pretend to do so. An effort to create a credible human rights council was underway, but Bolton skipped nearly all of the 30 or so negotiating sessions. Then, when the negotiators produced a blueprint for the new council, Bolton declared it unacceptable, leaving furious American allies to wonder why he hadn't weighed in earlier to secure a better outcome. ''The job now is to get clarity on what the U.S. wants,'' the British ambassador said icily. But what Bolton really wanted was quite clear: to allow the negotiations to falter and then to condemn whatever they produced, throwing red meat to his U.N.-hating allies on the right of the Republican Party.

Next, Bolton blundered into U.N. management reform, an issue that may soon precipitate a crisis. The top U.N. officials, led by Secretary General Kofi Annan, had laid out a menu of radical changes, designed to eliminate useless conferences and reports and to move staff to departments that most needed them. Bolton added his own brand of bluster to this plan: If poor countries carried on resisting management reforms, rich countries would stop paying for the organization. The deadline for agreeing on reform is the end of this month, but no breakthrough is in sight. Officials are wondering what to do if U.N. checks start bouncing.

Not many reformers at the United Nations believe that the budget threat achieved anything. To the contrary, Bolton has so poisoned the atmosphere that the cause of management renewal is viewed by many developing countries as an American plot. And if Bolton carries through on his threat to cut off money for the United Nations, the United States will be more isolated than ever. Refusing to fund U.N. officials who are planning for a peacekeeping mission in Darfur is not a winning strategy.

Last week the U.N. deputy secretary general, a pro-American Briton named Mark Malloch Brown, went public with his Bolton frustrations. He pointed out that the United Nations serves many American objectives, from deploying peacekeepers to helping with Iraq's elections. Given this cooperation, the powers that be in Washington should stick up for the United Nations rather than threatening to blow it up. They should not be passive in the face of ''unchecked U.N.-bashing and stereotyping.''

This merely stated the obvious. If you doubt that U.N.-bashing and stereotyping goes on, ask yourself what gallery Bolton is playing to—or check out the latest cover of the National Rifle Association magazine, which features a wolf with U.N. logos in its eyeballs. But Malloch Brown's speech didn't seem obvious to Bolton. ''This is the worst mistake by a senior U.N. official that I have seen,'' he thundered in response. ''Even though the target of the speech was the United States, the victim, I fear, will be the United Nations.''

Which would suit Bolton and his allies perfectly. But it should not suit Bush, at least not now that he's grasped that bluster can backfire. Arriving at the U.N. summit last September, a different Bush greeted the secretary general and gestured at Bolton; ''has the place blown up since he's been here?'' he demanded, teasingly. Well, it's now time for the new Bush to acknowledge that Bolton's tactics aren't funny. The United States needs an ambassador who can work with the United Nations. Right now, it doesn't have one.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Monday, June 12, 2006, I was unavoidably detained due to a prior obligation.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted as follows:

Rollcall No. 251: ''yes'' on agreeing to H. Res. 804; rollcall No. 252: ''yes'' on agreeing to H. Res. 794; rollcall No. 253: ''yes'' on agreeing to H. Res. 608; rollcall No. 254: ''yes'' on agreeing to H. Con. Res. 338; rollcall No. 255: ''no'' on agreeing to the previous question during consideration of H. Res. 857.

HONORING LIEUTENANT COLONEL DONALD P. LAUZON ON THE OCCASION OF HIS RETIREMENT FROM THE UNITED STATES ARMY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to my dear friend LTC Donald P. Lauzon as he retires from a distinguished career in the U.S. Army and as the Commander of the U.S. Army Corps of Engineers for the Detroit District.

Born in Rhode Island and earning his Bachelor of Science from Rhode Island College, LTC Lauzon was commissioned into the Army in 1986. He served bravely overseas in Bosnia, in Iraq, and as the Company Executive Officer of the 547th Combat Engineer Battalion in Germany. Before arriving in Detroit, LTC Lauzon served as Chief of the Department of Military Training, National Geospatial and Intelligence Agency at Fort Belvoir in Virginia. His military awards and decorations include the Bronze Star, the National Defense

Service Medal, the Defense Meritorious Service Medal, and nearly a dozen other illustrious awards and badges. LTC Lauzon has also earned two Master's degrees: one in Military Operational Art and Science from the U.S. Air Force and another in construction management from Colorado State University.

While serving as the Commander in the Detroit District, LTC Lauzon's inspired leadership guided others through the quickly shifting business environment as well as towards a more organized and efficient Lakes and Rivers Division. The numerous successful projects he oversaw are a tremendous credit to his skill as an engineer and his abilities as a manager. LTC Lauzon has been a big player in the ongoing efforts to expand the Detroit River International Wildlife Refuge—a project that is near and dear to my heart.

In retirement, I know LTC Lauzon will have more time to improve his golf game and spend more time hand making golf clubs. But most importantly LTC Lauzon will be able to spend quality time with his wife Kathleen and his two children Lauren and Zachary.

Mr. Speaker, I would ask you and all of my colleagues to join me as we honor the retirement of LTC Lauzon from the Army and the U.S Army Corps of Engineers for the Detroit District. Though his leadership will be sorely missed, his past efforts and his foresight will be appreciated long into the future.

A TRIBUTE TO METROPOLITAN BAPTIST CHURCH

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Metropolitan Baptist Church in Altadena, California. Metropolitan Baptist Church is one of the oldest congregations in the Altadena/Pasadena area and will celebrate 100 years of dedicated service to the community this month.

Founded on June 6, 1906 by Reverend J.D. Bushnell and 13 members, the church was located at 134 Waverly Drive in Pasadena. In 1911, the cornerstone was laid and articles of incorporation were filed with the Secretary of State. For many years, the church was located in Pasadena on Waverly and Bellevue Drive and then on Mentone and Claremont Streets. About 40 years ago, Metropolitan Baptist Church built their current church on N. Fair Oaks Avenue in Altadena.

Some of the programs that the church established over the last century include Music Ministry, Home Mission Society, Young People's Union, Mother's Board, Day Nursery, a Boy Scout Troop, Young Adult Choir, Bible Study, Children's Church, Prayer Warriors, Prayer Line, Hospitality Ministry, Senior Citizen Luncheon, and Health Fair.

In 1990, Reverend Tyrone Skinner began his tenure with Metropolitan Baptist Church. Reverend Skinner has been instrumental in establishing many new ministries, such as Praise Team, Praise Dancers, Petals Ministry, 40 Stomp Team, and Mass Choir within the church, as well as establishing the Metropolitan Community Action Services Corporation. The church also serves the community by feeding and clothing the homeless at Union Station, and the Pantry and Covered Dish Ministries.

Metropolitan Baptist Church is a place where the community at large is warmly welcomed. Many local religious, educational, and civic groups, such as the Interdenominational Ministerial Alliance, the NAACP, and the Pasadena Association of African American Educators use the facilities. In addition, the Young African American Male Conference and numerous community events honoring Martin Luther King, Jr. are held at Metropolitan Baptist Church.

It is my great honor to recognize Metropolitan Baptist Church upon its 100 years of ministry to the people of Altadena and Pasadena. I ask all Members to join me in wishing Metropolitan Baptist Church many more fruitful years of service to the community.

IN RECOGNITION OF DOYLE MOONEYHAM

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. CARDOZA. Mr. Speaker, it is with the greatest pleasure that I rise today to honor Mr. Doyle Mooneyham upon his retirement from the United States Postal Service after nearly 50 years of dedicated service.

In 1958, Doyle began his impressive career with the United States Postal Service as a letter carrier in Merced, California. Just a few years later, in 1961, Doyle was transferred to the Winton Post Office, in Winton, California where he has remained for the last 45 years. Throughout his extraordinary career, Doyle's work has clearly remained his priority. During his tenure with the Winton Post Office, Doyle has exemplified the unofficial U.S. Postal Service's motto as ''neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds.'' Throughout his nearly 50 years of service, Doyle never used a sick day until he underwent hip replacement surgery in 2005. Even after taking a year off of work to recuperate, Doyle still has 2,926 hours of sick leave, the equivalent to a year and a half of work. This is quite a remarkable accomplishment that very few individuals achieve in their lifetime. It is truly reflective of Doyle's commitment to his work, the community and the United States Postal Service.

Mr. Speaker, it is my honor and privilege to join Doyle Mooneyham's family, co-workers and friends in recognizing his lifetime of service to our community, and to congratulate him on his retirement from the U.S. Postal Service. Our community benefits greatly from the splendid example that he has set throughout his career. It is with the greatest sincerity and respect that I ask my colleagues to join me in offering Mr. Doyle Mooneyham best wishes for continued success and happiness in the years ahead.

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

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. BLUMENAUER. Mr. Speaker, it is a disservice to the American people that the toughest challenges to our Nation at home and abroad are not addressed in a straightforward manner.

More than 1,000 days after the war in Iraq began, we continue to fund it on an emergency basis deceiving the American taxpayer of the true cost of this war through a budgetary maneuver that simply pushes the enormous cost onto the next generation. It is no longer appropriate for Congress to approve this funding as an emergency. We must account for this through the normal budget process to ensure that taxpayer money is spent responsibly and with accountability.

As for our response to protecting Americans at home from disasters, 75 percent of the American public is at risk from one or more natural disasters, such as floods, fires, or earthquakes—yet the Federal Government continues to pour money into disaster-prone areas without any forward thinking plans. Instead of funding upfront mitigation, planning, and preparedness for disaster-prone communities, we spend even more money in emergency supplemental for things that we should know by now to expect. Our bizarre budget rules make it cheaper to appropriate billions after the fact than to invest millions in proven prevention programs.

This emergency supplemental demonstrates Congress's complacency in dealing with tough choices and avoids fiscal responsibility.

PERSONAL EXPLANATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. MATSUI. Mr. Speaker, I was participating in a very important briefing by the Army Corps of Engineers on flood protection in my district on Monday, June 12, 2006 and missed 5 votes. Please note in the appropriate place in the CONGRESSIONAL RECORD that had I been present, I would have voted as noted below:

Rollcall vote 255: ''nay''; rollcall vote 254: ''yea''; rollcall vote 253: ''yea''; rollcall vote 252: ''yea''; rollcall vote 251: ''yea.''

PERSONAL EXPLANATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today I was unavoidably absent and

missed rollcall votes Nos. 251 through 255. Had I been present, I would have voted:

"Yes" on rollcall No. 251, H. Res. 794—Recognizing the 17th anniversary of the massacre in Tiananmen Square, Beijing, in the People's Republic of China, and for other purposes;

"Yes" on rollcall No. 252, H. Res. 804—Condemning the unauthorized, inappropriate, and coerced ordination of Catholic bishops by the People's Republic of China;

"Yes" on rollcall No. 253, H. Res. 608—Condemning the escalating levels of religious persecution in the People's Republic of China;

"Yes" on rollcall No. 254, H. Con. Res. 338—Expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere, and

"No" on rollcall No. 255.

ON HATRED AND VIOLENCE RELATED TO IMMIGRATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. SOLIS. Mr. Speaker, today I rise to express concern about the sharp rise in hate crimes and racial intolerance, and to urge acceptance in our Nation.

A recent report from the Southern Poverty Law Center stated that there were 803 hate groups in the USA last year. This is up from 762 in 2004 and is a 33 percent increase since 2000. The center's report stated the national debate that has focused on immigration has been "the single most important factor" in spurring activity among hate groups and has given them "an issue with real resonance."

Hundreds of thousands of people marched peacefully throughout the Nation to give a voice for immigrants in this country. Half a million in Los Angeles, 300,000 people in Chicago, 40,000 in Washington, DC, and 20,000 in Milwaukee and Phoenix marched to defend the hopes and dreams of immigrant families. Nearly 40,000 students across Southern California, including students at several schools in my district, marched for the rights of immigrants.

Those who marched did so peacefully. I encourage everyone to remember the great history of change driven by nonviolent action, which is such a vibrant part of our Nation's fabric. Everyone is entitled to their own opinion, but I urge that such expression be done in a peaceful and nonthreatening manner.

OUTSTANDING HIGH SCHOOL SENIORS FIRST CONGRESSIONAL DISTRICT OF NEW MEXICO

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mrs. WILSON of New Mexico. Mr. Speaker, the following high school students from the First Congressional District of New Mexico have been awarded the Congressional Certificate of Merit. These are exceptional students that serve the community and participate actively in school and civic activities. It is my pleasure to be able to recognize these outstanding students for their accomplishments. Their parents, their teachers, their classmates, the people of New Mexico, and I are proud of them.

Certificate of Merit Award Winners 2005: Juanita Martinez, Albuquerque High School; Robert Cardwell, Monzano High School; Britten Smith, Highland High School; Gary R. Stinnett, La Cueva High School; Robert Sanchez, Rio Grande High School; Cameron Banes, Creative Education Preparatory Institute; David Gullett, Temple Baptist Academy; Ashley Martin, West Mesa High School; Leanne Raskob, St. Pius X High School; Jane Yein Song, Sandia High School; Dorothy Billau, Cornerstone Christian School; Jordan Spence, Evangel Christian Academy; Makenzi Williamson, Hope Christian Schools; Aaron Sims, Menaul High School; Emily Wildsmith, Southwest Secondary Learning; Nicholas Trumbley, Albuquerque Evening School; Karl Nieman, Career Enriched Center; Takesha Haynes, New Future High School; Suzia Van Swol, East Mountain High School; Erika Anaya, Moriarty High School; Samuel Lujan, Charter Vocational High School; Jessica R. Siegel, Sandia Preparatory School; Felicia Fuentes, South Valley Academy; Maggie Elizabeth Crank, Albuquerque; Danielle Threadgill, Bernalillo High School; Ruth Ann Huning, Los Lunas High School; Marie Jiron, Career Academy; Jesse Rafael Torres, Mountainair High School.

TRIBUTE TO JOHN L. "JACK" ASHER

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. SHUSTER. Mr. Speaker, I rise today to honor John L. "Jack" Asher, who has played a vital role in the development of Asher's Chocolates, in Lewistown and Souderton, Pennsylvania, over the last 51 years. Started by his grandfather in 1892, Jack has led the company since 1966.

With over 1,000 molds, Asher's can be respected as one of the largest candy molding companies, and one of the oldest family owned and operated candy manufacturers in America. The time-tested recipe for success is epitomized in the daily operation of one of the foremost confectioners in the country. I owned a small business for years and I understand, along with many others across Pennsylvania, the day-in and day-out work it takes to succeed. I applaud Jack for his commitment to his community and his business.

In early April, Jack was bestowed with the national honor of induction into the Candy Hall of Fame. This award recognizes Jack for his life's achievements and dedication to the company, as his contributions to the business and the confectionery industry are immeasurable.

As our economy continues to move in the right direction, our small businesses are the driving force. These businesses make up our communities, neighborhoods and towns. The Pennsylvanians who have benefited from the efforts of Asher's Chocolates—as employees, chocolate lovers and more—would certainly join me in thanking Jack for his contributions to the community and the economy, as well as serving as an inspiration for the spirit of familial virtue.

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. SHAYS. Mr. Speaker, on June 12, 2006, I was speaking to a group of professionals in New York City about my work in Congress and, therefore, missed five recorded votes.

I take my voting responsibility very seriously, and had I been present, I would have voted "yes" on recorded vote No. 251, "yes" on recorded vote 252, "yes" on recorded vote 253, "yes" on recorded vote 254, and "yes" on recorded vote 255.

HONORING QUEBECOR WORLD PUBLICATIONS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mrs. BLACKBURN. Mr. Speaker, I ask my colleagues to join me today in honoring Quebecor World Publications as they mark the publication of the one billionth copy of Highlights magazine.

Few things in this world are as consistent and positive as Highlights magazine has been for the past 60 years. Since 1946, Highlights magazine has kept parents and kids smiling. As a parent, I remember sharing time with my two children, Mary Morgan and Chad, while reading this wonderful magazine. Countless Americans have enjoyed decades of good memories thanks to Highlights.

In an era when we have to guard our kids' access to information like never before, it's nice to know that America can still depend on Quebecor and Highlights magazine not only to entertain but to teach the morals and values we hold dear.

TRIBUTE TO MR. CHARLES HAUGHEY

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. MARKEY. Mr. Speaker, I would like to bring to the attention of my colleagues the passing of Mr. Charles Haughey, former Taoiseach of the Republic of Ireland, and to offer my deepest condolences today to the Irish nation and to Mr. Haughey's family and loved ones, including especially his wife Maureen, his daughter Eimear and his sons Conor, Cian and Sean.

Mr. Haughey served both his constituency and the Irish nation with distinction and honor over his 35-year career in Dail Eireann. He will be most remembered for his key roles in laying the foundations for Ireland's economic rebirth, and in promoting and furthering progress towards a lasting peace in Northern Ireland.

John Hume, the Nobel Peace Prize laureate, praised Haughey, saying ''he worked very closely with me in preparation for the whole movement to get a lasting peace and an end to violence with The Downing Street Declaration. He privately worked with me in the preparation of that Declaration . . . Charles Haughey made a positive contribution to ending violence and achieving peace on our streets.''

Charles Haughey was a major figure in the history of the Irish Republic, and his work for peace and prosperity at home will forever be remembered by friends of this small island so important to the history of our own country.

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

SPEECH OF

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. STARK. Mr. Speaker, when is enough, enough? I rise in opposition to H.R. 4939 because there is no limit to the amount of money Republicans are willing to spend on this counterproductive war in Iraq.

When the Bush administration beat the drums of war, it promised the American people that the total cost would be $50 billion. More than 3 years later, the price tag for the Iraqi civil war stands at more than $320 billion. Before the invasion, neoconservatives told us Iraq was an oil-rich country that could finance its own reconstruction. Yet this latest supplemental includes billions more for the ''stabilization'' of Iraq that could have instead gone to rebuild New Orleans.

The Vietnam war required only a single supplemental, after which it was financed through the regular budget process. But virtually all of this money for the war in Iraq has been provided in so-called ''emergency'' supplementals that do not require budgetary tradeoffs such as spending cuts or tax increases. As a result, every dollar spent in Iraq is a dollar of debt for our children and grandchildren.

For their money, future generations are getting a terrible return. Thanks to our seemingly open-ended occupation of Iraq, anti-American forces are growing stronger, not weaker. Despite parliamentary elections and limitless American aid for democracy building, Iraq is in the midst of a civil war. Though even the rubber stamp Republicans in Congress have shown a real interest in transferring authority to Iraqi security forces, their training proceeds at a snail's pace.

This emergency supplemental bill does provide badly needed funds for Katrina reconstruction. Particularly worthwhile is this legislation's support for levee improvements, the rebuilding of the Veterans Administration hospital in New Orleans, alternative housing for hurricane survivors, and community development block grants.

But the numbers speak for themselves. The bill provides more than three times more funding for defense-related expenditures than it does for Katrina-related aid. Because I cannot support additional spending for a war that has already claimed nearly 2,500 American servicemen and women and countless Iraqi citizens, I urge my colleagues to vote ''no.''

IN RECOGNITION OF EUGENE SLAY

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize Eugene Slay, a fine member of the St. Louis Community in my home state of Missouri. Mr. Slay is the son of immigrant grandparents, who came from Lebanon to settle in the city of Saint Louis. In 1920, Gene's grandfather, John Slay, created Slay Industries, a shipping company that has been a great addition to the area's proud legacy of transportation commerce. Gene Slay gathered the reins of the institution in 1952, and ever since has blazed the corporation down a path of success, currently employing more than 800 persons and deriving an annual revenue of more than $100 million.

Of course, Gene Slay has not only been an effective and outstanding leader in business, but in the St. Louis community as well, giving his time to help those less fortunate. Gene Slay has always committed himself to activities that strive to give every person a chance to succeed. Specifically, I would like to recognize his work as an exceptional director of the Boys' Club of St. Louis. Mr. Slay has served as a member of the institution's Executive Board for 33 years and as its president for 14 years. Gene Slay has been a vital asset to the Boys' Club, building its endowment to $4.4 million, allowing the organization to be a helping hand to more than 5,000 youth.

With these accomplishments in mind, I am proud to recognize Gene Slay as a prominent St. Louisan and I thank him for his efforts in our community. It is my great honor to announce that the Boys' Club of St. Louis will now be renamed the Gene Slay's Boys' Club of St. Louis, to acknowledge all of Mr. Slay's hard work and dedication. I congratulate Gene Slay on this honor and praise him for all the young people that he has helped and will help in the future.

CELEBRATING THE 150TH ANNIVERSARY OF THE PERRY COUNTY FAIR

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 150th Anniversary of the Perry County Fair which is held each year in Pinckneyville, Illinois.

While no records exist of the first fair in 1856, oral accounts passed down from those who attended describe the Pinckneyville town square decorated with tall corn stalks and the owners of the prize livestock showing them in the street. Although much has changed since that initial event 150 years ago, the Perry County Fair remains a premier venue of agricultural and horticultural exhibition, as well as a place where families come to be entertained and old friends renew acquaintances once a year.

As the ''oldest consecutive running fair in Illinois,'' the Perry County Fair has seen much of our Nation's history. The Civil War, Prohibition, the Great Depression, both World Wars, the ushering in of two centuries and a millennium all occurred during the time that the Perry County Fair has been in operation.

The Perry County Agricultural Society was established as the governing body of the fair and continues today as the organization entrusted with planning, funding and organizing the Perry County Fair. Early records note that a $1.00 contribution was good for family entry to the first fairs and that $10.00 provided for a lifetime family membership. As the fair has expanded through the years, the balance of providing a first class fair that is affordable to all families continues to be a struggle.

Competition of livestock, produce and the tasty results of many closely-guarded family recipes have been a staple of the fair since its inception. Other attractions at the fair through the years have been horse racing, beauty pageants, musical entertainment, rides and, always, good food.

Several generations have now enjoyed the Perry County Fair and it has become an event that not only draws families and friends together from Perry County but also attracts fairgoers from throughout Southern Illinois.

Mr. Speaker, I ask my colleagues to join me in celebrating the 150th anniversary of the Perry County Fair. May it continue to provide entertainment for Southern Illinois families well into the future.

HONORING THE CONSECRATION OF ELIZABETH CHAPEL UNITED METHODIST CHURCH

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. MILLER of Florida. Mr. Speaker, it is with tremendous joy and celebration that I rise today to honor the consecration of the Elizabeth Chapel United Methodist Church in Chumuckla, Florida where my wife Vicki and I have been members since 2001.

Elizabeth Chapel has been a home for me; a place of solace where I can go to be closer to God and get back in tune with what is really important in my life. Likewise, the church family has acted as a true family to my wife and me, continuously offering us their support, encouragement, and kindness.

Elizabeth Chapel United Methodist Church has served a vital role in the community of Chumuckla since 1937. Originating from the marriage of two smaller/churches in the late 1930's, the church has remained a quaint group of adamant believers whose moral fiber and strength is unwavering.

On September 16, 2004, Hurricane Ivan tore through the area, leaving damage, destruction, and heartbreak in its wake. The hurricane left the church building irreparable and it was soon leveled to begin new construction. Though many members of the congregation lost their homes or had significant damage to

their own property in the storm, in the week that followed the hurricane, members of the church and others in the community came together descending on the church grounds to help FEMA distribute over 60,000 MRE's as well as ice and water to those in need.

In the months that followed, with the glorification of God's work in their hearts, the community, congregation and other churches in the surrounding area came together to begin rebuilding Elizabeth Chapel. It has been nearly 2 years since Ivan devastated the Gulf Coast, and the reconstruction is complete. On Sunday, June 11, 2006, I will join in the fellowship and celebration of the consecration of the Elizabeth Chapel United Methodist Church.

Mr. Speaker, I truly represent an incredible group of people. It warms my heart that the community, congregation, and other churches have come together, through the hardships and heartache that have been prevalent since hurricane Ivan, to once again provide a house of worship to the amazingly resilient members of Elizabeth Chapel United Methodist Church.

PERSONAL EXPLANATION

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. OXLEY. Mr. Speaker, I was absent from the House floor during Friday's rollcall votes on 5 amendments to H.R. 5522, the Fiscal Year 2007 Foreign Operations appropriations measure.

Had I been present, I would have voted ''no'' on rollcalls 245, 246, 247, 248, and 249.

I would have voted in favor of final passage of H.R. 5522.

CONDEMNING HATE CRIMES AND RACIAL INTOLERANCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. LANTOS. Mr. Speaker, I first want to thank my friend and fellow Californian, Congressman JOE BACA for organizing this Special Order to condemn hate crimes and racial intolerance, and particularly to address the very dangerous and growing problem of the use of the Internet to spread racism, bigotry, prejudice and anti-Semitism.

Mr. Speaker, I can speak personally of the horrors that can result from the propagation of hate. Such messages can be spread in many ways, but perhaps the most recent medium, the Internet, is the most effective and therefore the most dangerous. Modern technology has given us the ability to spread information and ideas far and wide almost instantly, and, as a result, the world has become very small indeed. Hate messages can circle the globe in minutes or even seconds. The circumstances of the terrorist arrests in Canada, the United States, and Europe just this last week are a reflection of how quickly messages of intolerance and exhortations to violence can be widely spread on the Internet.

Because of my deep concern for human rights, I co-founded the Congressional Human Rights Caucus in 1983. In 1995, a number of colleagues joined me in founding the Congressional Task Force Against Anti-Semitism to address more specifically problems of racial intolerance, bigotry, prejudice, and anti-Semitism. I continue to co-chair both groups and remain steadfastly committed to fighting such ugly and vicious hatred. This is a battle in which we must all be engaged. We confront a central danger to America's national interests and cannot be complacent in the face of such threats.

Mr. Speaker, the Anti-Defamation League, which monitors far-right extremists, reports that neo-Nazis and white supremacists have capitalized on the recent immigration reform debate and have ratcheted up their anti-Hispanic action. Racist use of the national debate to further their ideology in pursuit of a ''Whites only'' America is a hateful display and reminds us of the insidious racism, prejudice, and anti-Semitism that exists and that is spread on the Internet.

The Anti-Defamation League reports a disturbing trend of increased violence against Hispanics and of persistently troubling levels of anti-Semitism. Games that target particular immigrant, ethnic or religious groups are indicative of the deeply-rooted hatred that we confront. The recent up-tick in the spread of racist shoot-to-kill video games on the Internet is very disconcerting. The level and intensity of attacks against Hispanics has reached dangerous new highs, with right-wing extremists joining anti-immigration groups. The recent racist protests and rallies held across our nation are a disgrace to our country and a threat to American stability.

Immigration is likely the most important factor in the growth of extremist groups, and in their gaining new members. We must be vigilant is guarding against the racist, xenophobic sentiments surrounding our immigration debates. While such hatred is sadly not new, our recent debates and legislation are attracting the attention of extremists. Over the weekend, the Ku Klux Klan and neo-Nazis protested nearby at the Antietamm National Battlefield in Sharpsburg, Maryland. Under the auspices of speaking out against ''black on white crime'' and illegal immigration, the message vocalized could not have been clearer: as a Klan member said, ''Mexicans, Jews, all these immigrants, we want them out of here . . .'' Such rhetoric is frightening.

There is no gain, but loss by all, when hatred and anger are spread. Hispanics, regardless of their citizenship or immigration status, are increasingly becoming the targets of hatred and violence from white supremacists.

In an attempt to call attention to some of the problems of modern tools for spreading hate, the Congressional Task Force Against Anti-Semitism sponsored a briefing last September that highlighted the importance of fostering international cooperation in combating internet hate, and of working with organizations like the OSCE to combat anti-Semitism globally.

Mr. Speaker, I encourage my colleagues to join in working together to find ways to stop the use of the Internet to spread hate, so that we will not suffer horrible consequences. As I learned personally and tragically over six decades ago, words have consequences. Hate, intolerance, bigotry, prejudice, and Anti-Semitism lead to actions that a free society such as ours can—and must—never tolerate. We must speak out, we must take action.

LADY FALCONS SOAR TO VICTORY

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. COBLE. Mr. Speaker, I am pleased to report that public high schools in the Sixth District of North Carolina are not the only ones housing state championships these days. Now O'Neal School in Moore Country, North Carolina is able to sit in the same seat of glory having won the North Carolina Independent School Athletic Association 2A conference competition in women's soccer.

The Falcons endured fierce competition in the pursuit of their ultimate goal battling through two overtimes (one in the quarterfinals and the other in the semifinals). The fact that the road which they traveled to victory was so rocky made the end result all the more sweet. The women beat out their rival, Calvary Baptist Day School, 1–0 in the final game of the championship.

Freshman Syd McIlwain made everyone proud with the excessive determination required for a defender to score the only goal of the game. The goal occurred on a corner kick in which sweeper Caroline Cordell kicked it perfectly for McIlwain to head it in. After the game McIlwain said, ''I was just thinking that I had to get some part of my body on it,'' according to the Moore County Independent. It's a good thing that she did because that split-second decision was crucial to victory.

We are pleased to recognize all members of the O'Neal School soccer team who contributed to this nearly perfect championship season. Members of the team include: Alex Allen, Carey Averbook, Kristin Black, Caroline Cordell, Margaret Cross, Cate Dahl, Kathryn Davis, Jessica Gregory, Sarah Griffin, Kelsey Hukee, Meagan Johnson, Kate King, Lauren Krahnert, Kathryn Maples, Syd McIlwain, Anna Post, Nicole Poteat, Kate St. John, Allaire Welk, and Stephanie White.

The women's outstanding record was achieved largely due to their ability to work together on and off the field. Responsibility for this close bond rests in the hands of Head Coach Kyle Kegl and Assistant Coach Jason Byrd whose hard work throughout the season was imitated by the players cumulating in ultimate victory among private schools at the state level.

On behalf of the citizens of the Sixth District of North Carolina, we congratulate the O'Neal Falcons for completing the first ever state championship and doing so with only one loss the entire year. Congratulations to Headmaster John Neiswender, Athletic Director Steve Dahl, the teachers, staff, students, parents, and fans for bringing home a state championship to our community.

INTRODUCTION OF THE GUARANTEE OF MEDICAL ACCURACY IN SEX EDUCATION ACT

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. GUTIERREZ. Mr. Speaker, today I am introducing the ''Guarantee of Medical Accuracy in Sex Education Act,'' a bill that prohibits

the federal government from funding sex education curricula that contain medically inaccurate information.

Currently, the federal government is spending millions on abstinence-only education that includes medically inaccurate and misleading information. In 2004, the House Government Reform Minority Staff prepared a report that found more than two-thirds of federally funded abstinence-only programs use curricula that contain false, misleading, or distorted information about reproductive health.

The federal government should not be in the business of funding sex education that is rife with errors and examples of medically inaccurate information. Specific examples in current sex education courses include:

The first player spins the cylinder, points the gun to his/her head, and pulls the trigger. He/she has only one in six chances of being killed. But if one continues to perform this act, the chamber with the bullet will ultimately fall into position under the hammer, and the game ends as one of the players dies. Relying on condoms is like playing Russian roulette.'' From Me, My World, My Future, Revised HIV material, p. 258.

AIDS can be transmitted by skin-to-skin contact. From Reasonable Reasons to Wait, Teacher's guide, Unit 5, pg. 19.

Couples who use condoms for birth control experience a first-year failure rate of about 15 percent in preventing pregnancies. This means that over a period of 5 years, there could be a 50 percent chance or higher of getting pregnant with condoms used as the birth control method. From Choosing the Best PATH, Leader Guide, pg. 18.

Since 1998, the federal government has spent nearly $1 billion on abstinence-only education. These programs that contain inaccurate information regarding contraception and STD/HIV prevention can make sex education both dangerous and counterproductive. Responsible sex education, by contrast, is an important component of a strategy to reduce unintended pregnancies, reduce the number of abortions and lessen the spread of STDs. The American Medical Association, the Institute of Medicine and the National Institutes of Health support the use of sex education that is medically accurate.

Mr. Speaker, I urge my colleagues to support this legislation and join me in ensuring that sex education curricula contain accurate medical information that can help young people develop a healthy understanding of their sexuality, so they can make responsible and educated decisions throughout their lives.

PERSONAL EXPLANATION

HON. JIM GIBBONS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. GIBBONS. Mr. Speaker, I rise today to explain how I would have voted on several votes during the weeks of June 5th and June 12th during the second session of the 109th Congress. I was not able to be in Washington to cast these votes, as I remained in my district to attend my son's high school graduation.

On rollcall vote No. 223, on agreeing to the King of Iowa amendment, I would have voted ''yes.''

On rollcall vote No. 224, on agreeing to the Kingston amendment, I would have voted ''yes.''

On rollcall vote No. 225, on the motion to Table the Appeal of the Ruling of the Chair, I would have voted ''yes.''

On rollcall vote No. 226, on passage of H.R. 5441, the Department of Homeland Security Appropriations Act for FY 2007, I would have voted ''yes.''

On rollcall vote No. 227, on Ordering the Previous Question, I would have voted ''yes.''

On rollcall vote No. 228, on agreeing to H. Res. 842, I would have voted ''yes.''

On rollcall vote No. 229, on passage of H.R. 5521, I would have voted ''yes.''

On rollcall vote No. 230, on motion to Suspend the Rules and Agree to S. 193, I would have voted ''yes.''

On rollcall vote No. 231, on motion to Recommit with Instructions H.R. 5254, I would have voted ''no.''

On rollcall vote No. 232, on passage of H.R. 5254, I would have voted ''yes.''

On rollcall vote No. 233, on motion to Suspend the Rules and Agree to H.R. 5449, I would have voted ''yes.''

On rollcall vote No. 234, on motion to Suspend the Rules and Agree to S. 2803, I would have voted ''yes.''

On rollcall vote No. 235, on consideration of H. Res. 850, I would have voted ''yes.''

On rollcall vote No. 236, on agreeing to the Obey amendment, I would have voted ''no.''

On rollcall vote No. 237, on agreeing to H. Res. 850, I would have voted ''yes.''

On rollcall vote No. 238, on agreeing to the Smith of Texas amendment, I would have voted ''yes.''

On rollcall vote No. 239, on agreeing to the Markey amendment, I would have voted ''no.''

On rollcall vote No. 240, on motion to Recommit with Instructions, I would have voted ''no.''

On rollcall vote No. 241, on passage of H.R. 5252, I would have voted ''yes.''

On rollcall vote No. 242, on agreeing to the McGovern No. 7 amendment, I would have voted ''no.''

On rollcall vote No. 243, on agreeing to the McGovern No. 8 amendment, I would have voted ''no.''

On rollcall vote No. 244, on agreeing to the Weiner amendment, I would have voted ''yes.''

On rollcall vote No. 245, on agreeing to the King of Iowa amendment, I would have voted ''no.''

On rollcall vote No. 246, on agreeing to the Kucinich amendment, I would have voted ''no.''

On rollcall vote No. 247, on agreeing to the Sanders amendment, I would have voted ''no.''

On rollcall vote No. 248, on agreeing to the Hefley of Colorado amendment, I would have voted ''yes.''

On rollcall vote No. 249, on agreeing to the Blumenauer of Oregon amendment, I would have voted ''no.''

On rollcall vote No. 250, on passage of H.R. 5522, I would have voted ''no.''

On rollcall vote No. 251, on Motion to Suspend the Rules and Agree to H. Res. 794, I would have voted ''yes.''

On rollcall vote No. 252, on Motion to Suspend the Rules and Agree to H. Res. 804, I would have voted ''yes.''

On rollcall vote No. 253, on Motion to Suspend the Rules and Agree to H. Res. 608, I would have voted ''yes.''

On rollcall vote No. 254, on Motion to Suspend the Rules and Agree to H. Con. Res. 338, I would have voted ''yes.''

On rollcall vote No. 255, on ordering the previous question on H. Res. 857, I would have voted ''yes.''

IN RECOGNITION OF THE SKANEATELES HIGH SCHOOL GIRLS LACROSSE CLASS–C NEW YORK STATE TITLE

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. WALSH, Mr. Speaker, I rise today to praise the Skaneateles High School Girls Lacross program on their New York State Class–C State Title. The Lakers of Skaneateles fought hard to defeat Penn Yan Academy by a margin of 6–5.

Down 4–1 in the first half, Skaneateles battled through a tough defense to come up big and ultimately defeat Penn Yan. Late in the game, the Lakers managed to tie the game and ultimately, with a last minute goal, solidify their Class–C title. This classic hard earned victory marks the second straight state crown for Skaneateles.

I commend these young women on all their hard work and countless hours of devotion each of them have put into earning this success. On behalf of the people of the 25th District of New York, I congratulate the team, coaches, faculty, administration, and families who played an important role in this victory.

Head Coach Bridget Marquardt, Assistant Coach Steve Rice, Whitney Johnson, Kelsey Nangle, Jessica Haswell, Stephanie Rice, Shannon Tierney, Maggie Tierney, Amy Riehlman, Libby Jolmson, Katie Schoener, Claire Hennigan, Emily Murphy, Jenna Lotkowictz, Alex Sherman, Emma Heuber, Karen Vitkus, Meg Dwyer, Abby Duggan, Laura Trenti, Emily Gaffney, Jessica Chalupnicki, Kaitlin Clark, Gigi Vaughn, Maragaret Shanley, and Heather Mullen.

ACADEMIC EXCELLENCE COUPLED WITH ATHLETIC CHAMPIONSHIP

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. COBLE. Mr. Speaker, I am pleased to report that the women of Ragsdale High School in the Sixth District of North Carolina have proven their amazing athletic ability with state championship titles in both tennis and track and field.

The outstanding athletes who run, jump, relay, throw, and ultimately put their entire heart into the sport, better known as the track and field team, have been battling in a tremendously competitive district. The past two seasons they achieved second place and were fearful that this year would produce similar results. The old cliché, however, proved true: ''The third time's the charm!'' This year the Tigers' hard work paid off and Ragsdale finished first in the state.

We are pleased to recognize all the members of the Ragsdale track and field team who

contributed to this impressive victory. Members include: Rachael Acquaye, Courtney Brandenburg, Laura Brentnell, Chloe Christian, Courtney Cole, Kierra Crutchfield, Naadia Crutchfield, Julia Gomez, Asha Gray, Dionne Harp, Tyera Herbin, Shea Jackson, Tay Jackson, Portia Jordan, Emily Kimmel, Savannah Lloyd, Jessica McCray, Raven McKlver, Albiana Mustafa, Charlse Nelson, Lakeya O'Neal, Briana Overdiep, Cary Quillian, Mercia Perry, Nikkita Rowlings, Paisley Robinson, Mollie Rogers, Eunique Singleton, Rachel Smith, Caitlin Thornley, Cecilia Woke, Antioinette Walker, Katherine Webb, Amy Wenner, and LaNisha Woods.

After 25 years of coaching, Head Coach Sam Bays capped a tremendous career by bringing in a state title. The players recognize him as the reason for much of their success, and he is obviously proud of them in turn. Neither the coach nor the track and field team could have jumped this hurdle without the help of Assistant Coaches Ronnie Smith, Tommy Norwood and Zachary Crutchfield.

We are late in congratulating the Ragsdale women's tennis team for capturing the state tennis title last year. Congratulations to: Tianna Carter, Cameron Chatman, Chelsea Chatman, Sruthi Cherkur, Kiera Crutchfield, Naadia Crutchfield, Jeanette Edwards, Ashley Johnson, Grace Kennerly, Hanae Matsui, Sirena Pickett, Paris Sims, Jessica Wise and Catherine Wood. Congratulations also to Head Coach Zachary Crutchfield for leading this group of extremely talented women to victory.

On behalf of the citizens of the Sixth District of North Carolina, we congratulate the Ragsdale Tigers on the amazing achievements of both teams. Congratulations to Principal Dr. Kathryn Rogers, Athletic Director Mike Raybon, the teachers, staff, students, parents, and fans of Ragsdale High school for bringing academic as well as athletic excellence.

50TH ANNIVERSARY OF ANOKA CITY HALL

HON. MARK R. KENNEDY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. KENNEDY of Minnesota. Mr. Speaker, I rise today to recognize the rededication of the City Hall building in Anoka, Minnesota on it 50th anniversary.

This building, with its unique construction in the shape of a revolver, was furnished to the city as a gift from its largest employer, Federal Cartridge. Anoka has had a long and proud history of dedication and sacrifice to our country.

Anoka rightly takes pride in its status as the first city to provide volunteers to the Union Army during the Civil War. These brave men exemplified Minnesotans' enduring commitment to freedom, and proved their courage during the First Minnesota Regiment's famous charge at the battle of Gettysburg.

I am delighted, today, to join the city of Anoka in celebrating its proud history. I know this is only the beginning of what's to come.

CONGRATULATING THE CITY OF DESOTO FOR BEING NAMED AN ALL-AMERICAN CITY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to commend DeSoto on being named an All-American City by the National Civic League. Each year, the All-American City Award is given to ten communities that exemplify the true American spirit, and show outstanding abilities to identify problems and collectively conquer community-wide issues.

It takes collaboration from the whole community to be an All-American City, and DeSoto serves as a shining example of what can be accomplished when community members, government, businesses and non-profit organizations work together to address critical local issues.

I would like to congratulate my outstanding constituents in DeSoto; especially Mayor Michael Hurtt and the DeSoto City Council. Through their leadership, DeSoto has produced several exceptional grassroots initiatives including: DeSoto Dining and Dialogue, the Empowered Homeowners Associations Program, and the Youth Initiatives including the Hip Hop Summit.

DeSoto might be a small suburb of Dallas but has done a huge job in bettering the lives of average Texans through cooperation and grassroots initiatives. The accolades DeSoto is receiving are imminently well deserved, and I am confident of continued success for years to come.

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

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. HOLT. Mr. Speaker, I rise today to oppose the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery Conference Report, H.R. 4939. This supplemental bill, totaling $94.5 billion, is the largest that the House of Representatives has ever considered. This is almost $3 billion more than the bill the House considered earlier this year.

As I have said repeatedly on the House floor, I strongly oppose using so-called "emergency supplementals" to fund nonemergency, clearly foreseeable expenditures. This bill provides $72 billion for continued military operations in Iraq and Afghanistan. The fact that our troops are on the ground in these dangerous places is not a surprise. They have been in Iraq for almost 3 years. Their needs are well known to everyone, except, it seems, the President and his budget staff. Every year, the President fails to budget for the cost of military operations, and every year he pretends that the war is an unforeseen "emergency."

Funding our soldiers this way is dangerous because it leaves them ill-equipped and subject to last minute actions like this by Congress. If, by contrast, we funded military operations through the normal budget process, funding decisions would be made in the open and with the appropriate scrutiny they deserve. It would also allow for long-term planning and more thoughtful budgeting. We have all read about the contracting waste and fraud that has occurred in Iraq. A number of no-bid and open-ended contracts have wasted billions of taxpayers' dollars. This waste probably has made a few crooked businessmen wealthy and done nothing to protect our troops or help build a more stable democracy in Iraq.

Lastly, and perhaps most importantly, I refuse to continue to fund a failed policy. I opposed this war because I did not think the President had made a convincing case for the existence of weapons of mass destruction in Iraq and I opposed his illegal doctrine of preemption. Since then I have only been heartbroken by the utter incompetence of the planning and execution. Our service members are doing outstanding work, and I salute their sacrifice. But the policymakers in Washington have let them down and put them in an impossible situation. As I said in a letter to Secretary Rice last September, it is time to begin bringing our soldiers home. Spending good money after bad on a failed policy puts our troops and our national security in even greater risk.

Let me talk for a moment about the other good portions of this bill which were attached by the majority in a cynical attempt to buy votes for the overall bill.

There is true emergency funding in this bill. But it is money for Sudan and the gulf coast, and the preparation for the avian flu, not Iraq. This bill contains $1.9 billion to meet the pressing border security needs that exist because the President has not made funding for border security a priority. Unfortunately, the bill contains $708 million to pay for the deployment of National Guard troops to the border. This is a bad idea that will further burden National Guard units across America at a time when they are stretched historically thin.

This bill also contains $19.8 billion to help ensure that we meet our commitments to rebuild and restore the gulf coast. As we begin another hurricane season, my prayers are for the safety of all Americans who live near the coast. Yet prayers alone will not prevent flooding and help towns recover from hurricane related destruction. A strong federal commitment is needed to ensure that we remain at the highest state of readiness possible and that we can respond to all hurricane related natural disasters.

Finally, this bill includes desperately needed funds for the Sudan. I am glad that this bill will provide $350 million in emergency humanitarian food assistance. There is additional funding for international disaster assistance and famine assistance, and $126 million to sustain the African Union Mission in Sudan peacekeeping forces.

I am sorry that these true emergency funds were attached to the foreseeable spending for the ongoing operations in Iraq. I have voted in the past for rebuilding the gulf coast and ending the genocide in Darfur, and I will continue to do so. But I will not fund a failed policy in

Iraq that is jeopardizing our soldiers needlessly, stoking the insurgency, draining our national resources, and doing nothing to protect Americans from terrorism at home.

RECOGNIZING THE START OF THE U.S.-KOREA FTA NEGOTIATIONS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. BURTON of Indiana. Mr. Speaker, negotiations for a free trade agreement (FTA) between the United States and the Republic of Korea commenced last week in Washington, DC. I would like to recognize this historic undertaking and emphasize the significance of a U.S. trade accord with the Republic of Korea.

On February 2, 2006, then-U.S. Trade Representative (USTR) Rob Portman and Korean Minister of Trade Hyun-Chong Kim announced our two countries would negotiate an FTA. Both sides hope to complete negotiations by March 2007.

I applaud the decision by the United States to negotiate a bi-lateral, free and fair trade agreement with a country that is not only a strong economic partner, but an important geographic ally as well. As my good friend and former USTR Rob Portman has noted, this agreement, if successfully concluded, will constitute the largest and most commercially significant FTA the United States has negotiated in 15 years.

The numbers are truly impressive. Korea is the 10th largest economy in the world with a GDP or nearly $1 trillion and a per capita income of over $20,000. It is the United States' 7th largest trading partner and our 5th largest market for U.S. agricultural products.

Trade between our countries surpassed $72 billion last year alone and U.S. exports to Republic of Korea reached nearly $28 billion during the same year, and included important goods like computer chips, industrial machinery, organic chemicals, agricultural produce, and civilian aircrafts.

Bolstered by an FTA, U.S. exports to Korea will no doubt increase substantially. A study by the U.S. International Trade Commission in 2001 revealed that an FTA with Korea could increase U.S. exports by over 50 percent, and agricultural exports by more than 200 percent within four years.

South Korea's average tariff on goods is just over 11 percent—three times higher than the U.S. equivalent. The average tariff applied by Korea on agricultural products is even higher—52 percent, An FTA will lock in duty-free access and help to reduce other non-tariff barriers for U.S. goods and agricultural products, providing significant opportunities for U.S. businesses, farmers, and ranchers, and provide another lucrative market for America's auto manufacturers and U.S. beef and beef-product exporters.

This FTA will also help to stimulate job growth in the United States, not only as a result of increased trade but increased domestic investment as well. Koreans have invested nearly $20 billion in the United States, and have created American jobs through companies like Hyundai Motors, Samsung Electronics, and Kia Motors. And as the largest investor in Korea, the United States already has a leading presence in that country as well.

An FTA would also benefit the great State of Indiana, which I proudly represent in Congress. Korea is Indiana's 10th largest export market, and Indiana exports $303 million in goods to Korea annually. And outside the realm of international economics, almost 10,000 Korean-Americans reside in the State of Indiana and more than 2,000 Korean students study at Indiana's prestigious academic institutions.

In fact, Indiana Governor Mitch Daniels and his staff are actually preparing to return to Asia to visit Japan and South Korea later this week so they can develop better economic and trading partnerships between Indiana and Asia. Governor Daniels is determined to make long-lasting economic relationships in Asia, especially with Korean companies, as he works to improve Indiana's economy, create new and better Hoosier jobs, and ultimately drive ahead Indiana's economy well into the 21st Century.

In addition to being a strong economic partner, Korea is a key U.S. ally and a very important one strategically. The United States and Korea have a mutual defense treaty that dates back to 1953, and Korea has supported U.S. military efforts abroad, as recently as in both Iraq and Afghanistan.

Further, in the aftermath of Hurricane Katrina, Korea pledged over $30 million in aid for relief and recovery efforts—the 4th largest amount donated by any foreign country.

This new partnership between the United States and South Korea is sure to be a win-win for both of our countries. I look forward to working closely with the U.S. and Korean negotiators as talks proceed, so that we can ensure the best opportunities for all Americans.

Mr. Speaker, thank you for allowing me to extend my remarks to recognize the historic occasion of the start of formal trade negotiations between the United States and the Republic of Korea last week. I strongly encourage my colleagues to offer their own expressions of support for this important endeavor.

ONE SCHOOL, TWO STATE CHAMPIONSHIPS

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. COBLE. Mr. Speaker, I am pleased to report that a school in the Sixth District of North Carolina, in addition to continued promotion of academic excellence, has produced not one but two state championships recently. The first victory for Ledford High School was brought home by sophomore, Megan Williams, in the pole vault competition of the track and field championship. The second was achieved by Ledford's golf team.

In only her second year as a pole vaulter, Megan Williams battled through a knee injury to claim the title. All nerves resulting from an imperfect freshman season seemingly disappeared, allowing the true champion athlete to break through. Although not new to state level competition, with two previous cheerleading titles to her credit, this event appeared to be especially meaningful because of her success in the face of little experience. The combination of her determination, gymnastic skills, and training from her dedicated coach, Shawn Loggins, drove Megan to continue pursuing and obviously achieving excellence. Looking forward to new poles and new heights, it's no wonder that Megan Williams was named athlete of the week by The (Lexington) Dispatch.

The golfing Panthers of Ledford High School showed extreme poise under the pressure of defending a state title as they defeated Cardinal Gibbons by a remarkable 13 shots in their final performance of the year. Head Coach John Ralls was quoted by The High Point Enterprise as beaming, "Today we had six scores in the 70s . . . we had six guys who were capable." These scores are themselves an amazing feat, but more impressive is that Ledford has won in back-to-back years in such a difficult conference.

We are pleased to recognize all the members of the Ledford golf team who contributed to the victory. Players include: seniors Paxton Davis and Zack Smith, juniors Jake Dykhoff, Nick Goins (whose individual score placed him third in the state), and Logan Peck, and sophomores Jeff Boyan, Curtis Brotherton, Matt Lawson, Chris Moore, Jordan Stiles, and Ethan Worley.

The fantastic individual efforts of the players would not have been enough to bring home a championship, but through the collaborated efforts of the entire squad and the excellent coaching staff including Head Coach John Ralls and Associate Head Coach Jim Brotherton, it was possible to work together and clench the title as a team. The coaches were no doubt proud of their players as they led the Ledford High School golf team to yet another state championship.

On behalf of the citizens of the Sixth District of North Carolina, we congratulate the Ledford Panthers golf team as well as Megan Williams and the rest of the track and field team. Congratulations to Principal Bill Butts, Athletic Director Don Palmer, the teachers, staff, students, parents, and fans of Ledford High School.

Daily Digest

HIGHLIGHTS

The House agreed to the conference report to accompany H.R. 4939, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006.

Senate

Chamber Action

Routine Proceedings, pages S5731–S5819

Measures Introduced: Fifteen bills and five resolutions were introduced, as follows: S. 3492–3506 and S. Res. 507–511. **Page S5779**

National Defense Authorization: Senate continued consideration of S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages S5740–46**

Adopted:

By a unanimous vote of 97 yeas (Vote No. 168), Warner (for Frist/Reid) Amendment No. 4208, to express the sense of Congress that the United States Armed Forces, the intelligence community, and other agencies, as well as the coalition partners of the United States and the Iraqi Security Forces should be commended for their actions that resulted in the death of Abu Musab al-Zarqawi, the leader of the al-Qaeda in Iraq terrorist organization and the most wanted terrorist in Iraq. **Page S5744**

Pending:

Levin (for Lautenberg) Amendment No. 4205, to provide a temporary prohibition on an increase in copayments required under the retail pharmacy system of the pharmacy benefits program of the Department of Defense. **Pages S5740–41**

Warner Amendment No. 4211, to name the CVN–78 aircraft carrier the U.S.S. Gerald Ford. **Pages S5744–46**

Senate will continue consideration of the bill on Wednesday, June 14, 2006.

Emergency Supplemental Appropriations—Conference Report: Senate began consideration of the conference report to accompany H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006. **Pages S5750–65**

A unanimous-consent-time agreement was reached providing for further consideration of the conference report at approximately 10 a.m., on Wednesday, June 14, 2006, that there be 25 minutes of debate controlled by the Chairman of the Committee on Appropriations, and 75 minutes of debate controlled by the Ranking Member of the Committee on Appropriations; provided further, that following the use or yielding back of time, the conference report be set aside, and at 10 a.m., on Thursday, June 15, 2006, Senate proceed to vote on adoption of the conference report, with no further intervening action or debate. **Pages S5765, S5819**

Stickler Nomination—Agreement: A unanimous-consent agreement was reached providing that the scheduled vote on the motion to invoke cloture on the nomination of Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health, was vitiated. **Page S5746**

Nominations Confirmed: Senate confirmed the following nomination:

Charles P. Rosenberg, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years. **Page S5819**

Messages From the House: **Page S5777**

Measures Referred: **Page S5777**

Measures Placed on Calendar: **Page S5777**

Executive Communications: **Pages S5777–79**

Additional Cosponsors: **Pages S5779–81**

Statements on Introduced Bills/Resolutions: **Pages S5781–S5814**

Additional Statements: **Pages S5773–77**

Amendments Submitted: **Pages S5814–18**

Notices of Hearings/Meetings: **Page S5818**

Authorities for Committees to Meet:

Pages S5818–19

Privileges of the Floor: Page S5819

Record Votes: One record vote was taken today. (Total—168) Page S5744

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:15 p.m., until 9:30 a.m., on Wednesday, June 14, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5819.)

Committee Meetings

(Committees not listed did not meet)

FARM LOAN PROGRAMS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded an oversight hearing to examine Department of Agriculture farm loan programs, focusing on the Farm Loan Programs Risk Assessment (FLPRA), and barriers for entry-level farmers and ranchers, after receiving testimony from Glen Keppy, Associate Administrator for Programs, Farm Service Agency, Department of Agriculture; Dennis A. Everson, First Dakota National Bank, Yankton, South Dakota, on behalf of the American Bankers Association; Elisabeth B. Senter, Federal Managers Association, Gregory, South Dakota, on behalf of the National Association of Credit Specialists of the Farm Service Agency; and Karen R. Krub, Farmers' Legal Action Group, Inc., St. Paul, Minnesota.

COMMUNICATIONS CONSUMER'S CHOICE & BROADBAND DEPLOYMENT ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 2686, to amend the Communications Act of 1934, after receiving testimony from former Representatives Dan Glickman, on behalf of the Motion Picture Association of America, and Steve Largent, on behalf of the CTIA—The Wireless Association; Robert LeGrande, II, Office of the Chief Technology Officer, District of Columbia Government; Mayor Kenneth S. Fellman, Arvada, Colorado, on behalf of sundry organizations; Brigadier General Richard M. Green (Ret.), National Guard Association of the United States, Ben Scott, Free Press, on behalf of sundry organizations, John Rose, Organization for the Promotion and Advancement of Small Telecommunications Companies, on behalf of the Coalition to Keep America Connected, Kyle McSlarrow, National Cable & Telecommunications Association, Walter B. McCormick, Jr., USTelecom, and Christopher Putala, Earthlink, Inc., all of Washington, D.C.; Dave McCurdy, Arlington, Virginia, on behalf of the Electronic Industries Alliance and the Telecommunications Industry Association; John Rutledge, Rutledge Capital, Cos Cob, Connecticut, on behalf of the U.S. Chamber of Commerce; Philip Jones, Washington Utilities and Transportation Commission, Olympia, Washington, on behalf of the National Association of Regulatory Utility Commissioners; and Robert S. Foosaner, Sprint Nextel Corporation, Reston, Virginia.

CORPORATE TAX COMPLIANCE

Committee on Finance: Committee held a hearing to examine trends in corporate taxes and opportunities to improve corporate tax compliance, including recent work on the misreporting of capital gains income from securities sales and options to improve compliance, receiving testimony from Mark Everson, Commissioner, Internal Revenue Service, Department of the Treasury; David M. Walker, Comptroller General of the United States, Government Accountability Office; Eileen J. O'Connor, Assistant Attorney General, Tax Division, Department of Justice; George A. Plesko, University of Connecticut School of Business, Storrs; Edward D. Kleinbard, Cleary, Gottlieb, Steen and Hamilton LLP, New York, New York; and Martin A. Sullivan, Tax Analysts, Falls Church, Virginia.

Hearings recessed subject to the call.

COUNTERTERRORISM

Committee on Foreign Relations: Committee concluded a hearing to examine the changing face of terror relating to counterterrorism, focusing on U.S. counterterrorism efforts, how terrorists are adapting and changing their operations, and where the U.S. is headed in the short and longer term, after receiving testimony from Vice Admiral John Scott Redd, USN (Ret.), Director, National Counterterrorism Center, Office of the Director of National Intelligence; Henry A. Crumpton, Coordinator for Counterterrorism, Department of State; and John E. McLaughlin, Johns Hopkins University Paul H. Nitze School of Advanced International Studies, and Daniel Benjamin, Center for Strategic and International Studies, both of Washington, D.C.

FEDERAL BUDGET

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to examine autopilot budgeting, including the PART (Program Assessment Rating Tool) and consider how systematic performance reporting of government agencies helps taxpayers get better services as well as whether Congress can better utilize the report cards to inform their annual budgeting, after receiving testimony

from Clay Johnson III, Deputy Director for Management, Office of Management and Budget; Eileen Norcross, George Mason University Mercatus Center, Fairfax, Virginia; and Adam Hughes, OMB Watch, Washington, D.C.

VOTING RIGHTS ACT: BILINGUAL EDUCATION

Committee on the Judiciary: Committee held a hearing to examine the continuing need for section 203 provisions of the Voting Rights Act regarding bilingual election materials, receiving testimony from Peter N. Kirsanow, Member, National Labor Relations Board, and Commissioner, United States Commission on Civil Rights; Deborah Wright, Los Angeles County Department of Registrar-Recorder, and John Trasvina, Mexican American Legal Defense and Education Fund, both of Los Angeles, California; Mauro E. Mujica, U.S. English, Inc., and Linda Chavez, One Nation Indivisible, and the Center for Equal Opportunity, both of Washington, D.C.; and Margaret Fung, Asian American Legal Defense and Education Fund, New York, New York.

Hearing recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 5590–5602; and 4 resolutions, H. Con. Res. 427–429; and H. Res. 866 were introduced. **Pages H3907–08**

Additional Cosponsors: **Page H3909**

Reports Filed: Reports were filed today as follows:

H. Con. Res. 372, recognizing the 50th Anniversary of the Interstate Highway System, with amendments (H. Rept. 109–499);

H.R. 5117, to exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students (H. Rept. 109–500); and

H. Res. 865, providing for consideration of H.R. 5576, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007 (H. Rept. 109–501). **Page H3907**

Speaker: Read a letter from the Speaker wherein he appointed Representative Campbell to act as Speaker pro tempore for today. **Page H3791**

Recess: The House recessed at 9:57 a.m. and reconvened at 11:00 a.m. **Page H3797**

Chaplain: The prayer was offered by the guest Chaplain, Rev. Joseph J. Kleinstuber, Pastor, St. Mary's Catholic Church, Bryantown, Maryland. **Page H3797**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated on Monday, June 12th:

Commending the Government of Canada for its renewed commitment to the Global War on Terror: H. Con. Res. 408, amended, to commend the Government of Canada for its renewed commitment to the Global War on Terror, by a (2/3) yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 256. **Page H3798**

Agreed to amend the title so as to read: "Commending the Government of Canada for its renewed commitment to the Global War on Terror in Afghanistan.". **Page H3798**

Oath of Office—Fiftieth Congressional District of California: Representative-elect Brian P. Bilbray presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier the Clerk of the House transmitted a facsimile copy of the unofficial returns of the Special Election held on June 6, 2006 from Ms. Susan Lapsley, Assistant Secretary of State for Elections, California Secretary of State Office, indicating that the Honorable Brian P. Bilbray was elected Representative in Congress for the Fiftieth Congressional District of California. **Page H3798**

Whole Number of the House: The Chair announces to the House that, in light of the administration of the oath to the gentleman from California, Mr. Brian P. Bilbray, the whole number of the House is adjusted to 433. **Page H3799**

Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006—Conference Report: The House agreed to the conference report to accompany H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 351 yeas to 67 nays, Roll No. 257. Consideration of the measure began on yesterday, Monday, June 12th. **Pages H3799–H3800**

H. Res. 857, the rule providing for consideration of the conference report, was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 204 yeas to 165 nays, Roll No. 255. The resolution was agreed to on yesterday, Monday, June 12th.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children: H.R. 4894, to provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children, by a (2/3) yea-and-nay vote of 415 yeas to 1 nay, Roll No. 259; **Pages H3805–08, H3816–17**

Exempting persons with disabilities from the prohibition against providing section 8 rental assistance to college students: H.R. 5117, amended, to exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students; **Pages H3808–09**

Recognizing the 50th Anniversary of the Interstate Highway System: H. Con. Res. 372, to recognize the 50th Anniversary of the Interstate Highway System; and **Pages H3809–13**

Supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day: H. Res. 318, amended, to support responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, by a (2/3) yea-and-nay vote of 407 yeas with none voting "nay" and 8 voting "present", Roll No. 260. **Pages H3813–15, H3817**

Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007: The House began consideration of H.R. 5576, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007. Further consideration is expected to resume tomorrow, Wednesday, June 14th. **Pages H3817–91**

Agreed to:

Knollenberg amendment to increase funding for the IRS operations support account by $20,748,000; **Page H3828**

Kucinich amendment to increase funding (by offset) for the Federal Railroad Administration Safety and Operations by $70,000; **Page H3833**

Millender-McDonald amendment to increase funding for the Election Assistance Commission by $250,000; **Pages H3849–50**

Knollenberg amendment to strike Section 531, beginning on page 175, line 16, through page 176, line 6; **Page H3872**

Shays amendment to increase funding for the Privacy and Civil Liberties Board by $750,000; **Pages H3872–75**

LaTourette amendment to increase funding (by offsets) for Amtrak by $214,000,000 (by a recorded vote of 266 ayes to 158 noes, Roll No. 263); **Pages H3828–33, H3884–85**

Bean amendment to increase funding (by offsets) for the National Highway Traffic Safety Administration Operations and Research by $6,700,000 (by a recorded vote of 234 ayes to 190 noes, Roll No. 264); **Pages H3833–34, H3885**

Miller, Gary G. of California amendment that increases funding (by offset) for the Community Development Fund by $15,000,000 (by a recorded vote of 286 ayes to 139 noes, Roll No. 266); **Pages H3845–47, H3886–87**

Nadler amendment to increase funding for Section 8 housing vouchers (by a recorded vote of 243 ayes to 178 noes, Roll No. 267); **Pages H3851–52, H3887**

Davis of Alabama amendment to increase funding for the Public Housing Capital Fund Program by $30 million (by a recorded vote of 262 ayes to 162 noes, Roll No. 268); **Pages H3852–54, H3887–88**

Harris amendment to increase funding (by offset) for the HUD Elderly and Disabled program by $15 million (by a recorded vote of 335 ayes to 90 noes, Roll No. 270); **Pages H3859, H3889**

Slaughter amendment to increase the funding in the bill for the Residential Lead-Based Paint Hazard Program account in the amount of $35 million (by offset) (by a recorded vote of 233 ayes to 190 noes, Roll No. 271); **Pages H3862–65 H3889–90**

Waters amendment to add a new section providing for the cost of guaranteed loans, as authorized by section 108 of the Housing and Community Development Act of 1974, and the amount otherwise provided in the bill for Management and Administration—Salaries and Expenses, is reduced by $2,970,000 (by offset) (by a recorded vote of 218 ayes to 207 noes, Roll No. 272); and **Pages H3865–72, H3890–91**

Hooley amendment to increase funding (by offset) for the High Intensity Drug Trafficking Areas Program by $8 million (by a recorded vote of 348 ayes to 76 noes, Roll No. 273). **Pages H3875–77, H3891**

Rejected:

Inslee amendment that sought to increase funding (by offset) for the Public Housing Capital Fund by $261 million; **Pages H3854–56**

Israel amendment that sought to increase funding (by offsets) for Research and University Research Centers by $9,448,000 (by a recorded vote of 197 ayes to 228 noes, Roll No. 265); and **Pages H3834–35, H3885–86**

Jackson-Lee of Texas amendment that sought to extend funding for the American Dream Downpayment Act by 3 months (by a recorded vote of 193 ayes to 230 noes, Roll No. 269). **Pages H3857–62, H3888–89**

Withdrawn:

Waters amendment that was offered and subsequently withdrawn which sought to increase funding (by offset) for Public Housing Capital Fund by $261,000,000; **Pages H3837–38**

Nadler amendment that was offered and subsequently withdrawn which sought to increase funding for the Housing Opportunities for Persons with AIDS (HOPWA) program by $10 million; and **Pages H3851–52, H3856–57**

Wynn amendment that was offered and subsequently withdrawn which sought to provide $1 million (by offset) for a study on the implementation of employee health and fitness programs for federal employees. **Page H3877**

Point of Order sustained against:

The proviso, beginning on page 5, line 23, and ending on page 5 line 24, constituted legislation in an appropriations bill; **Page H3836**

The proviso, Section 101, constituted legislation in an appropriations bill; **Pages H3836–37**

The proviso, beginning on page 13, line 1, through page 13, line 6, constituted legislation in an appropriations bill; **Page H3837**

The proviso, beginning on page 13, line 17, through page 13, line 25, constituted legislation in an appropriations bill; **Page H3837**

The proviso, Section 120, constituted legislation in an appropriations bill; **Pages H3839–40**

The proviso, Section 127, sought to change existing law and constituted legislation in an appropriations bill; **Pages H3840–45**

The proviso, Section 206, constituted legislation in an appropriations bill; and **Pages H3850–51**

Jackson-Lee amendment that sought to continue the availability of tenant-based housing for the elderly under the bill. **Pages H3860–62**

Agreed to limit the number of amendments made in order for debate and the time limit for debate on each amendment during further proceedings. **Pages H3848–49**

Agreed to H. Res. 862, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, by a yea-and-nay vote of 221 yeas to 194 nays, Roll No. 258. **Pages H3815–16**

Agreed to H. Res. 865, the rule providing for consideration of the bill, by a recorded vote of 221 ayes to 194 noes, Roll No. 262, after agreeing to order the previous question by a yea-and-nay vote of 249 yeas to 167 nays, Roll No. 261. **Pages H3818–22**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H3909–10.

Quorum Calls—Votes: Six yea-and-nay votes and twelve recorded votes developed during the proceedings of today and appear on pages H3798, H3799–H3800, H3815–16, H3816–17, H3817, H3821, H3821–22, H3884–85, H3885, H3885–86, H3886–87, H3887, H3887–88, H3888–89, H3889, H3889–90, H3890–91 and H3891. There were no quorum calls.

Adjournment: The House met at 9:30 a.m. and adjourned at midnight.

Committee Meetings

DEFENSE AND THE DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS FY 2007

Committee on Appropriations: Ordered reported, as amended, the following appropriations for Fiscal Year 2007: Defense; and the Department of Labor, Health and Human Services, Education, and Related Agencies.

NATIONAL DEFENSE ENHANCEMENT AND NATIONAL GUARD EMPOWERMENT ACT

Committee on Armed Services: Held a hearing on issues related to H.R. 5200, National Defense Enhancement and National Guard Empowerment Act of 2006. Testimony was heard from the following officials of the Department of Defense; ADM Edmund P. Giambastiani, USN, Vice Chairman, Joint Chiefs of Staff; Gordon R. England, Deputy Secretary; GEN Richard Cody, USA, Vice Chief of Staff, Department of the Army; and GEN John. D.W. Corley, USAF, Vice Chief of Staff, Department of the Air Force; BG Stephen M. Koper, USAF (Ret.), President, National Guard Association of the United States; and MG Francis D. Vavala, USA, Vice President, Adjutants General Association of the United States.

NO CHILD LEFT BEHIND

Committee on Education and the Workforce: Held a hearing entitled "No Child Left Behind: Disaggregating Student Achievement by Subgroups To Ensure All

Students Are Learning.'' Testimony was heard from Raymond Simon, Deputy Secretary, Department of Education; Ronald A. Peiffer, Deputy State Superintendent, Department of Education, State of Maryland; and public witnesses.

NIH HUMAN TISSUE RESEARCH POLICIES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Human Tissue Samples: NIH Research Policies and Practices.'' Testimony was heard from Susan Molchan, M.D., Program Director, AD Neuroimaging Initiative, Neuroscience and Neuropsychology of Aging Program, National Institute on Aging, NIH, Department of Health and Human Services.

Hearings continue tomorrow.

HOME MORTGAGE DISCLOSURE ACT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''Home Mortgage Disclosure Act: Newly Collected Data and What It Means.'' Testimony was heard from Mark W. Olson, member, Board of Governors, Federal Reserve System; and public witnesses.

HEALTH IT/FEDERAL EMPLOYEE HEALTH BENEFITS

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization continued hearings entitled ''Healthier Feds and Families: Introducing Information Technology into the Federal Employees Health Benefits Program, a Legislative Hearing on H.R. 4859, (Federal Family Health Information Technology Act of 2006). Part II.'' Testimony was heard from Representative Clay; Dan Green, Deputy Associate Director, Center for Employee and Family Support Policy, OPM; and public witnesses.

PRIVATE SECURITY FIRMS

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled ''Private Security Firms: Standards, Cooperation and Coordination on the Battlefield.'' Testimony was heard from William M. Solis, Director, Defense Capabilities and Management, GAO; Shay Assad, Director, Defense Procurement and Acquisition Policy, Department of Defense; the following officials of the Department of State: Greg Starr, Deputy Assistant Secretary, Bureau of Diplomatic Security; and James Kunder, Assistant Administrator, Near East and Africa, U.S. Agency for International Development; and public witnesses.

OVERSIGHT—STATE TAXATION OF INTERSTATE TELECOMMUNICATIONS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on Oversight of State Taxation of Interstate Telecommunications Services. Testimony was heard from public witnesses.

CRIMINAL RESTITUTION IMPROVEMENT ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on the Criminal Restitution Improvement Act of 2006. Testimony was heard from public witnesses.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS FY 2007

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 5576, Making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

RESOLUTION—IRAQ WAR ON TERROR

Committee on Rules: Heard testimony from Chairmen Hyde and Hunter; Representatives Paul, Jones of North Carolina, Lantos, Abercrombie, and Woolsey, but action was deferred on H. Res. 861, Declaring that the United States will complete the mission in Iraq and prevail in the Global War on Terror, the struggle to protect freedom from the terrorist adversary.

NASA WORKFORCE

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on The NASA Workforce: Does NASA Have the Right Strategy and Policies to Retain and Build the Workforce It Will Need?''

Testimony was heard from Toni Dawsey, Assistant Administrator, Human Capital Management, NASA; and public witnesses.

RAIL TRANSPORTATION OF HAZARDOUS MATERIALS

Committee on Transportation and Infrastructure: Subcommittee on Railroads held a hearing on Current Issues in Rail Transportation of Hazardous Materials. Testimony was heard from Representative Pomeroy; Joseph Boardman, Administrator, Federal Railroad Administration, Department of Transportation; Robert J. Chipkevich, Director, Office of Railroad, Pipeline, and Hazardous Materials Investigations, National Transportation Safety Board; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 14, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: business meeting to mark up S. 418, to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products, S. 811, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln, S. 2321, to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille, and the nominations of Sheila C. Bair, of Kansas, to be a Member and Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, Kathleen L. Casey, of Virginia, to be a Member of the Securities and Exchange Commission, Robert M. Couch, of Alabama, to be President, Government National Mortgage Association, Donald L. Kohn, of Virginia, to be Vice Chairman of the Board of Governors of the Federal Reserve System, and James B. Lockhart III, of Connecticut, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development; to be followed by a hearing to examine Financial Accountability Standards Board's proposed standard on "Employers' Accounting for Defined Benefit Pension and Other Postretirement Plans", 10 a.m., SD–538.

Subcommittee on Housing and Transportation, to hold hearings to examine extension of HUD's mark-to-market program, 2:30 p.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Technology, Innovation, and Competitiveness, to hold hearings to examine alternative energy technologies, 10 a.m., SD–562.

Committee on Environment and Public Works: to hold an oversight hearing to examine whether potential liability deters abandoned hard rock mine clean up, 9:30 a.m., SD–628.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 2145, to enhance security and protect against terrorist attacks at chemical facilities, S. 1554, to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security of the United States and to address the homeland security needs of Federal, State, and local governments, S. 1741, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area, S. 1838, to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, S. 2068, to preserve existing judgeships on the Superior Court of the District of Columbia, S. 2146, to extend relocation expenses test programs for Federal employees, S. 2296, to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, H.R. 3508, to authorize improvements in the operation of the government of the District of Columbia, S. 2228, to designate the facility of the United States Postal Service located at 2404 Race Street, Jonesboro, Arkansas, as the "Hattie W. Caraway Post Office.", S. 2376, to designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the "Gerard A. Fiorenza Post Office Building", S. 2722, to designate the facility of the United States Postal Service located at 170 East Main Street in Patchogue, New York, as the "Lieutenant Michael P. Murphy Post Office Building", H.R. 4108, to designate the facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the "State Senator Verda Welcome and Dr. Henry Welcome Post Office Building", H.R. 3440, to designate the facility of the United States Postal Service located at 100 Avenida RL Rodriguez in Bayamon, Puerto Rico, as the "Dr. Jose Celso Barbosa Post Office Building", H.R. 4786, to designate the facility of the United States Postal Service located at 535 Wood Street in Bethlehem, Pennsylvania, as the "H. Gordon Payrow Post Office Building", H.R. 4561, to designate the facility of the United States Postal Service located at 8624 Ferguson Road in Dallas, Texas, as the "Francisco 'Pancho' Medrano Post Office Building", H.R. 4688, to designate the facility of the United States Postal Service located at 1 Boyden Street in Badin, North Carolina, as the "Mayor John Thompson 'Tom' Garrison Memorial Post Office", H.R. 4995, to designate the facility of the United States Postal Service located at 7 Columbus Avenue in Tuckahoe, New York, as the "Ronald Bucca Post Office", H.R. 3549, to designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the "William F. Clinger, Jr. Post Office Building", H.R. 2977, to designate the facility of

the United States Postal Service located at 306 2nd Avenue in Brockway, Montana, as the ''Paul Kasten Post Office Building'', S. 2690, 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'', S. 3187, to designate the Post Office located at 5755 Post Road, East Greenwich, Rhode Island, as the ''Richard L. Cevoli Post Office'', and H.R. 5245, to designate the facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the ''Matthew Lyon Post Office Building'', 10 a.m., SD–342.

Committee on Indian Affairs: to hold hearings to examine S. 374, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, and S. 1535, to amend the Cheyenne River Sioux Tribe Equitable Compensation Act to provide compensation to members of the Cheyenne River Sioux Tribe for damage resulting from the Oahe Dam and Reservoir Project, 9:30 a.m., SR–485.

Committee on the Judiciary: to hold hearings to examine ensuring competition and innovation relating to reconsidering communication laws, 9:30 a.m., SD–226.

House

Committee on Appropriations, Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, to mark up appropriations for fiscal year 2007, 9:30 a.m., H–141 Capitol.

Committee on the Budget, to mark up H.R. 4890, Legislative Line Item Veto Act of 2006, 10:30 a.m., 210 Cannon.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing entitled ''Addressing Concerns About the U.S. Department of Labor's Use of Non-Consensus Standards in Workplace Health and Safety,'' 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing on Violent and Explicit Video Games: Informing Parents and Protecting Children, 2 p.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations continue hearings entitled ''Human Tissue Samples: NIH Research Policies and Practices,'' 10 a.m., 2322 Rayburn.

Committee on Financial Services, to mark up the following bills: H.R. 5337, Reform of National Security Reviews of Foreign Direct Investments Act; H.R. 5068, Export-Import Bank Reauthorization Act of 2006; H.R. 2990, Credit Rating Agency Duopoly Relief Act of 2005; H.R. 5024, Promoting Transparency in Financial Reporting Act of 2006; the Financial Netting Improvements Act of 2006; H.R. 5039, Saving America's Rural Housing Act of 2006; H.R. 4804, FHA Manufactured Housing Loan Modernization Act of 2006; H.R. 5527, Mark-to-Market Extension Act of 2006; H.R. 5393, Natural Disaster Housing Reform Act of 2006; and H.R. 5443, Section 8 Voucher Reform Act, 10 a.m., 2128 Rayburn.

Committee on Homeland Security, to mark up the following bills: H.R. 3197, Secure Handling of Ammonium Nitrate Act of 2005; H.R. 4941, Homeland Security Science and Technology Enhancement Act of 2006; and H.R. 4942, Promoting Antiterrorism Capabilities Through International Cooperation Act, 10 a.m., 311 Cannon.

Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, hearing entitled ''Transportation Security Administration's Office of Intelligence: Progress and Challenges,'' 2 p.m., 311 Cannon.

Subcommittee on Investigations, hearing entitled ''Waste, Fraud and Abuse in the Aftermath of Hurricane Katrina,'' 11 a.m., 311 Cannon.

Committee on International Relations, Subcommittee on Africa, Global Human Rights and International Operations, briefing and hearing on Modern-Day Slavery: Spotlight on the 2006 Trafficking in Persons Report, Forced Labor, and Sex Trafficking at the World Cup, 11 a.m., 2172 Rayburn.

Committee on Resources, hearing on H.R. 4761, Domestic Energy Production through Offshore Exploration and Equitable Treatment of State Holdings Act of 2006, 11 a.m., 1324 Longworth.

Committee on Science, to mark up H.R. 5450, National Oceanic and Atmospheric Administration Act, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, oversight hearing on Deepwater Implementation, 1 p.m., 2167 Rayburn.

Committee on Veterans Affairs, oversight hearing on information security at the Department of Veterans Affairs, 10:30 a.m., 334 Cannon.

Committee on Ways and Means, hearing on the Implementation of the Medicare Prescription Drug Benefit, 10:30 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Title 50/Title 10 Concerns, 3 p.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Wednesday, June 14

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of the conference report to accompany H.R. 4939, Emergency Supplemental Appropriations. Also, Senate will continue consideration of S. 2766, National Defense Authorization.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, June 14

House Chamber

Program for Wednesday: Continue consideration of H.R. 5576—Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act for Fiscal Year 2007 (Subject to a Rule).

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