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House of Representatives

The House met at 10 a.m.

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

Lord God of every age, Your people have always turned to You, especially in their darkest hours of need. Today we call upon Your Holy Name and pray for world peace. Only by mounting the forces of prayer, goodness, and compassionate love can we overcome the hopeless battles of distrust and violence.

When human limitations are finally admitted and nations stand apart from each other, each on its own precipice of disastrous decisions, then the remnant of Your believing people must assemble and cry out to You, O Lord, for wisdom and consolation.

Because repeated conflicts and broad-based negativity can form a vortex which, like a giant vacuum, robs people everywhere of strength and initiative, Your faithful must believe in You and claim a vision of realistic reconciliation which transcends the frontiers of culture, civilizations, nations and history.

Before You and in You we are already one people, and You have promised to be with us now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Ms. DELAURO led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3741. An act to provide funding authority to facilitate the evacuation of persons from Lebanon, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 250) ''An Act to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act.''

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to ten 1-minute speeches on each side.

BORDER SECURITY, ''DO-NOTHING'' DEMOCRATS

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

Ms. FOXX. Mr. Speaker, House Republicans are working hard to produce a strong security bill to send to President Bush's desk, while Democrats continue their tired strategy of voting against border security legislation, while failing to offer a plan of their own.

Republicans passed the REAL ID Act which made it more difficult for potential terrorists to obtain driver's licenses, and helped deport criminals for terrorism related offenses. 152 House Democrats voted against it.

The Republicans passed the Border Protection, Anti-terrorism and Illegal Immigration Control Act which increased border security by authorizing 1,000 new border inspectors and ended the ''catch and release'' of illegal aliens. 164 House Democrats voted against that.

Finally, 187 Democrats voted against an amendment which would have added teeth to a Federal law that requires governments at all levels to comply with Federal immigration laws.

Mr. Speaker, I have been listening to the other side of the aisle complain about the ''do-nothing Congress.'' It is actually a case of the ''do-nothing'' Democrats. Republicans have a strong record of accomplishment on border security. Too bad the Democrats can't say the same thing.

BREAST CANCER PATIENT PROTECTION

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

Ms. DELAURO. Mr. Speaker, I rise today in support of every woman who has ever had to leave the hospital within 24 hours after undergoing a mastectomy, and to urge that the House consider the Breast Cancer Patient Protection Act. It is a bipartisan bill which will ensure that patients have the health care that they need following breast cancer surgery.

The statistics say it all. A woman in the United States has a 1-in-7 chance of developing breast cancer. It is the second leading cause of cancer deaths for women in America. And just this year, over 269,000 women will receive a diagnosis of invasive breast cancer.

Despite these numbers, women are often forced by their insurance companies to leave the hospital less than a day after mastectomy surgery, when they are still in pain, groggy from anesthesia, and with drainage tubes that require professional attention.

Mr. Speaker, the last thing that any woman should be doing at this time is

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fighting with her insurance company. Two days of recovery time in the hospital should not be negotiable. Just 2 days. And ultimately that decision should be up to the patient and her doctor.

We should pass into law the Breast Cancer Patient Protection Act to ensure that women do not have to fight for their recovery time in the hospital.

LONE STAR VOICES—TIM AND SUSAN JACOB

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

Mr. POE. Mr. Speaker, illegal entry into our homeland negatively affects our economic security. Illegals are driving up the costs for health care, education, Social Security and other Social Services. Americans pick up the tab for these bills because illegals do not pay their way.

Tim and Susan Jacob of Groves, Texas speak out on this fact. They say, ''It should be evident more than ever that the U.S. does not have the infrastructure for 12 to 20 million illegals. This summer we are seeing rolling blackouts, complete power outages, gasoline above $3 a gallon, Houston streets are overloaded with automobiles and illegals driving without insurance. We have hospital closings and poor performance of the public school system. Shut down the borders, enforce the existing laws and prosecute employers who hire illegals.''

Mr. Speaker, common sense rings true again. We cannot ignore the negative impact of illegal entry. It is morally wrong to make Americans pay the costs for foreigners illegally in our Nation.

And that's just the way it is.

RISING GAS PRICES HURT MINIMUM WAGE EARNERS

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, gas prices in this country have just risen to hit yet another record high, reminding us all of how difficult it can be to make ends meet today. This is especially true for the millions of Americans who are struggling to survive and support their families while making the minimum wage.

Although it has not been increased since 1997, and it is currently at its lowest level in 50 years when adjusted for inflation, Republicans still refuse to raise the minimum wage from $5.15 an hour. That means if you make $5.15 an hour and you work all year round, you would make $10,700. In fact, it would take you a full day just to fill up your gas tank. With the kind of money you make on minimum wage, there is very little left to support a household, something three-quarters of the people who make minimum wage must do.

Mr. Speaker, Democrats believe that no one who works hard at a full-time job should be in poverty. It is time to raise the minimum wage. Congress should not go on vacation without giving these workers their first pay raise in 9 years.

RECOGNIZING THE SACRIFICE OF PFC DEREK PLOWMAN

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

Mr. BOOZMAN. Mr. Speaker, I rise today to recognize the sacrifice made by PFC Derek Plowman of Everton, Arkansas. On July 20 he died from a gunshot wound while serving with the Arkansas Army National Guard's 142nd Fires Brigade in Iraq.

Friends and family say that Derek was passionate about everything that he did. He was known to be a selfless man that was always more worried about other people than himself.

Last year he had just returned from basic training when he learned that his unit was being mobilized, but he commented that ''he had a job to do,'' and willingly deployed to Iraq with his fellow Arkansans.

Derek comes from a large family with nine brothers and sisters. He had dreams of becoming a psychiatrist, and joined the National Guard during his senior year at Valley Springs High School to earn money for college.

Mr. Speaker, at the young age of 20, Derek made the ultimate sacrifice for his country. He is a true American hero. I ask my colleagues to keep Derek's family in their thoughts and prayers as they mourn the loss of this outstanding young man.

OIL COMPANY PROFITS

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

Mr. DEFAZIO. Well, Mr. Speaker, the numbers are in. ExxonMobil's quarterly profits up 32 percent, Shell, 34 percent, BP, 29 percent. The three largest oil companies made $200 million a day profit by gouging consumers. This is extraordinary, and the Republicans have very little to say about this because they are sharing in the profits. Eighty-five percent of the political contributions from oil and gas companies go to the Republican party.

Now, they are so awash in money that the retired CEO of ExxonMobil, while Americans struggle to fill up their gas tanks and afford that and go on vacation, well, Lee Raymond, the retired ExxonMobil chief who got $400 million for a retirement gift very recently, he is personally buying oil and gas fields. So American workers, people who work for ExxonMobil, can't afford to go on vacation and fill up their tank, and their CEO is personally purchasing oil and gas fields in the Middle East and Africa. It's a great country.

□ 1015

BREAST CANCER PATIENT PROTECTION ACT

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

Mrs. KELLY. Mr. Speaker, I rise, along with several of my colleagues, this morning to urge this House to pass a bill I am sponsoring called the Breast Cancer Patient Protection Act. I appreciate the co-leadership of the gentlewoman from Connecticut (Ms. DELAURO) on this important bipartisan bill.

We are here today seeking to improve treatment coverages and access to inpatient care for women suffering from breast cancer. No woman should be forced to fight breast cancer and red tape at the same time. It is our responsibility in Congress to make sure that necessary laws are in place to protect a breast cancer patient. We need to guarantee the best treatment and support possible.

A breast cancer diagnosis is scary and stressful for a woman. Insurance restrictions and difficult cost-saving decisions only complicate her fear and stress.

By passing our bill, we can eliminate undue anxiety and ensure that a woman and her doctor are in control of her treatment decisions. More than 175 cosponsors of our bill have recognized the need to help more than 200,000 women diagnosed with breast cancer every year. But we believe every Member of this body should be cosponsoring our legislation.

Together, this Congress can make a positive difference in the lives of women suffering from breast cancer by passing the Breast Cancer Patient Protection Act.

IN SUPPORT OF THE BREAST CANCER PATIENT PROTECTION ACT

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

Ms. SLAUGHTER. Mr. Speaker, I rise in support of the Breast Cancer Patient Protection Act and urge its passage before the August recess.

Breast cancer is so pervasive that it touches every American family. The diagnosis of breast cancer is frightening enough not to have to fight the insurance companies, as has been said before. One in eight women is going to be diagnosed with breast cancer during her lifetime, and it remains the number one cause of death in women between the ages of 30 and 54.

In my congressional district, there are almost 1,500 instances of breast cancer and nearly 300 women die every year. And rushing a woman through a hospital stay after a mastectomy and pressuring her to return to her normal life almost immediately hampers her recovery. That is why it is imperative

that we pass the Breast Cancer Patient Protection Act.

We must also support research into better breast cancer detection methods. Mammographies, which is the only tool we have had for 40 years, miss too many women and cannot suffice as our gold standard. But instead of passing legislation to stop drive-through mastectomies or supporting funding increases for research and development, we have become a drive-through Congress, rushing to pass what is politically divisive.

This bill deserves passage.

IN SUPPORT OF FORMER CONGRESSMAN BOB MATHIAS

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

Mr. NUNES. Mr. Speaker, some of you may know that former Congressman and two-time Olympic Gold Medalist Bob Mathias has been battling cancer for the past few years.

As many in this Chamber know, Bob is a fighter and is determined to beat it. As Bob continues his fight, I ask that we keep him and his family in our thoughts and prayers.

THE BREAST CANCER PATIENT PROTECTION ACT

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, breast cancer does not discriminate based on health care coverage.

Statistics tell us that one in seven American women will develop breast cancer; yet no one ever expects these things. No one plans or prepares to be diagnosed with breast cancer. No one preemptively investigates their health insurance coverage in the event that they require a mastectomy or a lumpectomy.

Suddenly these women, our mothers, our sisters, our daughters, are faced not only with a terrible, deadly diagnosis but with unnerving treatment decisions.

I am a cosponsor of the Breast Cancer Patient Protection Act to ensure one thing: that women don't have to worry about their health insurance plan during this terrifying experience. This is the law in Florida, and it should be the law of the land. While serving in the Florida legislature, I passed similar legislation, and my commitment has not wavered.

This bill mandates that women be covered for a 48-hour hospital stay after a mastectomy and a 24-hour stay for a lumpectomy. What is more, it ensures full coverage for follow-up care.

Asking anyone coping with a deadly disease to lose sleep over health insurance is outrageous. As a public servant, I believe I have a responsibility to stand up on this issue so that women facing this trying ordeal can focus on what really matters: their family, their faith, and their future.

ISRAEL/IRAN

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

Mr. KNOLLENBERG. Mr. Speaker, the United States and our ally Israel stand at an important and historic juncture.

Iran's continued efforts to establish a nuclear weapons program and their continued efforts to assist Hezbollah, an internationally recognized terrorist organization, is in defiance of their obligations to a free and stable world.

Today I stand united with my friends in Israel, who face a constant threat by Iranian-sponsored Hezbollah terrorists.

The House has acted by passing H.R. 282, the Iran Freedom Support Act. If this bill is passed, a strong set of economic sanctions will begin to hold Iran responsible for their actions in the Middle East. It is critical that the Senate act on this companion legislation that is pending before them.

Congress must confront Iran's continued belligerence by halting that country's nuclear aspirations and work to prevent their further sponsorship of terrorists.

A TRIBUTE TO ANDREW VELEZ

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

Mr. NEUGEBAUER. Mr. Speaker, this morning I come to this House with a very heavy heart. Earlier this week, PFC Andrew Velez was killed while tracking Osama bin Laden in Afghanistan.

It is always a tragedy when we lose one of our young soldiers, but this loss is especially tragic because less than 2 years ago, Andrew's older brother, Freddy, was also killed while protecting this country in fighting the war on terrorism.

The Velez family now has made the ultimate sacrifice for freedom and democracy not once, but twice. Andrew and Freddy Velez are American heroes. We must never forget the sacrifice of these two brothers for freedom.

My thoughts and prayers go out to Andrew's father, Roy; his stepmother, Carmen; Andrew's wife, Veronica; and his three children, Jasmine, Jordan, and Jacob as they mourn the loss of their son and their husband and their dad.

Mr. Speaker, the price of freedom has never been cheap, but I have to say that the Velez family has given an extra measure for freedom and democracy. I hold them in my prayers and ask all Americans to do so at the same time.

SECURITY FIRST

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

Mr. STEARNS. Mr. Speaker, it is imperative that we secure our southern border immediately. One overlooked reason is the Department of Homeland Security has issued data which indicates that each year, hundreds of aliens from countries known to harbor terrorists or who promote terrorism are apprehended attempting to enter this country illegally. Since 2002, the number of non-Mexicans apprehended while trying to enter the United States illegally has increased 343 percent.

This is of great concern to me and to others. In the words of former Deputy Secretary ADM James Loy of Homeland Security: ''Entrenched human smuggling and corruption in areas beyond our borders can be exploited by terrorist organizations.''

There have been reports, Mr. Speaker, that terrorist organizations, including al Qaeda, have been operating, recruiting members, and maybe training terrorists in South American countries, including Argentina, Brazil, and Paraguay. This is particularly alarming when you consider that attempts to enter our country illegally from Brazil has increased 900 percent over the last 3 years.

It is imperative that we secure our borders now.

THE VIOLENCE IN THE MIDDLE EAST

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

Mr. KUCINICH. Mr. Speaker, casualties are mounting on all sides in the Middle East, and yet our government, representing the most powerful Nation in the world, stands aside and watches as civilian casualties mount everywhere.

Why in God's name aren't we getting involved to call for an end to the violence, to bring the parties together so that they can find a way to create peace?

We are required, by virtue of our standing in the world, to bring people together. Not to create more isolation, not to create more war, but to bring people together. We must get involved as this continues to spiral out of control. The whole world is watching and the entire world is at risk.

THE REPUBLICAN MAJORITY'S SECURITY AGENDA

(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, this Republican majority is dedicated to the security agenda. We have created a plan of action for leading that addresses the issues facing America today.

As part of our security agenda, we are promoting border security that halts illegal entry into the country. We are strengthening our national security by fighting terrorism in the Middle East where it begins, not on our own soil after an attack.

We are also promoting economic growth and job creation by lowering taxes and reducing regulation in order that families can plan for their very own secure future.

Energy security means America must harness our own domestic oil resources, expand oil refining capacity that is limited due to red tape, and at the same time carry out research and development for alternative energy sources while we focus on conservation's best practices.

We are fighting to defend the moral infrastructure that has made America great as part of our moral security agenda.

Mr. Speaker, we invite everyone to join us in a thoughtful process of securing America's future.

THE MINIMUM WAGE

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

Mr. McGOVERN. Mr. Speaker, the Federal minimum wage has been stuck at $5.15 for 9 years. A minimum-wage worker working full time earns about $10,712 a year. A minimum-wage worker has to work an entire day in order to be able to afford to fill their tank with gas.

Mr. Speaker, Members of Congress have awarded themselves eight pay raises since the last time we increased the Federal minimum wage. That is about $35,000 in pay raises.

Mr. Speaker, 35 percent of workers who receive a minimum wage are their families' sole earners. Sixty-one percent are women and one-third of those women are raising children.

Here is the deal, I say to my Republican colleagues: have a heart. And if you are not going to allow us to have a clean vote up or down on the minimum wage, then bring to the floor a bill that repeals your pay raise. It is not right for Members of Congress to get a pay raise while they force millions of Americans to continue to live in poverty.

VAT ACCOMPLISHMENTS

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

Mr. PITTS. Mr. Speaker, as we head into August, it is worth noting our record so far this year in defense of traditional values.

Last month this body affirmed the role of fathers by passing a resolution to promote responsible fatherhood in America. Also in June, we got serious about enforcing broadcast decency standards by increasing fines for violating the law tenfold. Just this week the President signed the Freedom to Display the American Flag Act.

Last week we defended the Pledge of Allegiance from the whims of activist judges who seek to ban it from our schools. Although the Marriage Protection Amendment failed to get two-thirds support, it gained votes in both the House and Senate this year. Earlier this month we passed legislation to enforce laws prohibiting illegal online gambling. And last week we affirmed the dignity of human life by rejecting taxpayer funding of human embryo-destroying research.

Mr. Speaker, it has been a good first half of the year for millions of Americans who wish to see traditional American values defended on Capitol Hill. And I look forward to future successes when we reconvene after August.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 250, CARL D. PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 2006

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 946 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 946

Resolved, That upon the adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 250) to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. KUHL of New York). The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

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

House Resolution 946 provides for the consideration of the conference report to accompany Senate 250, the Carl D. Perkins Career and Technical Education Improvement Act of 2006 and waives all points of order against its consideration.

□ 1030

Mr. Speaker, I am actually proud to stand in support of this rule the underlying legislation, which reauthorizes important vocational education loans and programs. In our ever-changing economy, it is clear that education and training is more vital than ever before to both our Nation's economic growth and competitiveness, as well as the quality of life for individuals and their families.

This conference agreement will, among other things, direct the States to assess the effectiveness of State programs for career and technical education, with an emphasis on math and science, and also establishes performance indicators for those programs.

It will enhance coordination between secondary and post-secondary vocational programs and strengthen the role of the States in administering these programs, and this is a funding of a legislative priority.

This legislation allows for increased flexibility for States who choose the option to combine the Perkins State Grant with the Tech-Prep programs into one program, leading to greater program efficiencies. This once again is a State option.

It allows for the States to provide ''incentive grants'' to encourage and recognize exemplary performances in carrying out career and technical education programs.

It also will ensure the continued access to teachers for professional development certification.

Mr. Speaker, in 1917, the government first funded training for vocational programs relating to national defense. In 1963, we passed the first Vocational Education Act. It was modified in 1984 as the Carl Perkins Program, and again in 1990. So this program has been here in some way for 90 years in this Nation helping those vocational programs and training our citizens for their future.

I urge my colleagues to support this rule and the underlying legislation.

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

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

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

Mr. McGOVERN. Mr. Speaker, I want to thank the gentleman from Utah (Mr. BISHOP) for yielding me the customary 30 minutes.

Mr. Speaker, today this House is considering the conference report for the Carl D. Perkins Career and Technical Education Improvement Act. This is a good bill, a worthy bill. This bill addresses the needs of America's changing workforce and hopefully it will help close the gaps that threaten our long-term ability to compete in the global economy.

I want to express my appreciation and my respect for the leadership and hard work invested over the past 15 months by House Education and Workforce Committee Chairman BUCK McKEON and ranking member GEORGE MILLER in moving these vital issues forward and that resulted in this strong, bipartisan supported bill.

Mr. Speaker, the conference report successfully improves several aspects of the programs authorized under the Perkins Act. It provides for more effective accountability for these programs. It establishes stronger links to businesses and stronger partnerships between high schools, colleges and businesses, including small businesses. It

creates better links and sequences of courses from high school to college and it promotes a much stronger academic focus, consistent with other Federal K–12 educational programs.

Mr. Speaker, I am a very strong supporter of vocational, career and technical education, and I am not alone in Central Massachusetts in believing in the importance of vocational and technical education.

Let me share with my colleagues an important milestone that took place just last month in Worcester, Massachusetts. On June 8, the last class to occupy the old Worcester Vocational High School graduated, ending an era that began in 1910 when the Boys Trade School opened its doors to 29 ironworkers and 23 woodworkers.

That evening, 204 graduating seniors who attended classes in that 1910 building received their high school diplomas in subjects as diverse as telecommunications, cosmetology and hotel management. These students represent a well-educated workforce.

In the past 5 years, in Worcester alone, the number of vocational technical graduates attending college has nearly tripled, from 24 percent in 2001 to 68 percent this year. It is not surprising, therefore, to know that the scores of these students on the Massachusetts mandatory State test, which has formidable high standards, have risen significantly, a testament to the hard work of students, faculty, school administrators and parents.

This coming September, a new era will begin for Worcester's vocational and technical students when they start classes in a new state-of-the-art school, the Worcester Technical High School. I have had the opportunity to tour this new school, the first vocational high school in the Commonwealth of Massachusetts to be built in the last 30 years. I can assure my colleagues that the goals and programs outlined in today's reauthorization bill will find fertile ground and flourish at Worcester Technical High School.

But, Mr. Speaker, it takes more than just a good framework like the one provided by this conference report to ensure a quality education. It takes resources. It takes money. And, quite frankly, Mr. Speaker, that worries me.

I worry whether this House has the same bipartisan dedication and commitment that so successfully negotiated this conference agreement to make sure that these same programs are adequately funded in the future. Every year President Bush recommends the elimination of the Perkins vocational education programs in his budget. Every year, Mr. Speaker, every year he does this.

Will the Republican leadership of this House pledge to organize a bipartisan effort and convince the President that he must include full funding for the Perkins Act in his budget?

Each year when the President has eliminated the Perkins vocational and technical programs, the Republican majority of this House passes a budget resolution that matches the President's request, which means it also eliminates the funding for the Perkins Act programs.

Where does that leave us, Mr. Speaker? It leaves us with an appropriations allocation for education that is so low it is impossible to adequately fund our Federal education programs. In order to restore $1.3 billion to the Perkins program, we are forced to steal money from other critical K–12 and higher education programs.

This year is no exception. In the FY 2007 Labor-HHS-Education Appropriations Act, which has been waiting in the wings for 6 weeks since June 13 for a chance to come to the House floor, we once again see damaging cuts in education funding. For the second year in a row, funding for the Department of Education has been cut, this time $404 million below FY 2006 levels and $1 billion below FY 2005 levels. While the appropriations bill provides $1.3 billion for vocational education programs, this is the same level as last year. This means vocational education grants will have lost $83 million in real purchasing power since FY 2005.

Mr. Speaker, nearly half of all high school students and about one-third of all college students take vocational education courses to be ready for today's world of work. We cannot keep freezing the funding for these programs. The result is a de facto cut in resources at exactly the time when this authorization increases standards and accountability for vocational and technical schools.

So I hope that my colleagues on the other side of the aisle will finally commit themselves not just to authorizing these critical programs, but to working in a bipartisan, all-out effort to make sure that they are adequately funded. Otherwise, nothing we do here today matters.

Finally, Mr. Speaker, I have to admit I am a little bit confused. Only July 12, this House voted 260–159 in favor of a motion to instruct the conferees appointed to negotiate on this conference report to state clearly that when this authorizing bill describes as its purpose to prepare students for high wage jobs, that those jobs should, in no case, pay less than $7.25 an hour. 260–159, Mr. Speaker. That is an overwhelming vote. Sixty-four Republicans joined every single Democrat and Independent in this House in support of this language. But somehow, Mr. Speaker, it does not appear in the conference report.

High skilled jobs are important, Mr. Speaker. High wage jobs matter. And so does raising the minimum wage. The minimum wage was established 63 years ago to alleviate poverty. Today, the minimum wage condemns workers and their families to a life of poverty. That is more than 6.5 million hardworking American workers. I thought that was why 260 members of this House voted 2 weeks ago to demand that the conferees include in this bill that the phrase ''high wage'' means no less than $7.25 an hour.

Did the House conferees not take the Members of this House seriously? Did they fight during negotiations to include these words in the final conference report? Because, if so, then why isn't it there?

Mr. Speaker, I have worked in this House for a while now, 10 years as a Member of Congress and 13 years before that as a Congressional aid. I remember when motions to instruct conferees were taken seriously by Members appointed to the conference committee.

The Republican leadership will not allow this House to act on the FY 2007 Labor-HHS-Education Appropriations Act because it contains an increase in the minimum wage. Every Health, Education and Labor Department program is being held hostage to the Republican majority's determination to keep 6.5 million hardworking Americans in poverty.

Now they will not allow a handful of words, supported so strongly by Members of this House, to be included in this conference report. What are they so afraid of?

As we take up the Carl D. Perkins Career and Technical Education Improvement Act conference report, we can all be proud of our support of vocational, technical and career education. But with all due respect, Mr. Speaker, what we do today is meaningless. It is worthless if we fail to ensure adequate appropriations for these programs and if we continue to let the minimum wage stagnate and willingly and deliberately condemn more and more American workers to lives of poverty.

In closing, I will support this bill because it does authorize a number of good programs. But let me repeat so my colleagues on the other side of the aisle can hear this loud and clear: It is not enough to authorize programs. We need to fund them. And this President has consistently tried to eliminate funding for important vocational educational programs and this Congress passes budgets that also eliminate funding for these programs. And, quite frankly, the funding that we do provide is inadequate.

Finally, let me repeat to all Members of this House, that it is a disgrace that we are about to recess for our August vacation without increasing the Federal minimum wage. It has been stuck at $5.15 an hour for nearly 9 years. During that same period of time, Members of this House have increased their pay eight different times, totaling about $35,000.

If this Republican leadership does not want to allow Members of this House a clean, straight, up-or-down vote on the minimum wage, then they should at least have the decency to bring to the floor a resolution to repeal this pay raise. It is wrong to increase our pay and, at the same time, refuse to do anything about the millions of American workers who are stuck in poverty.

If you work in this country, you should get paid enough so you don't have to live in poverty.

Again, vocational education is important, but we need to fund these programs. That is something that this Republican Congress has failed to do.

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

Mr. BISHOP of Utah. Mr. Speaker, in closing, I wish to try and address my remarks to the bill we have before us and hopefully keep them germane to the particular issue we have in front of us.

We have a very good conference report. It is a conference report which is just what a conference report is, a negotiated compromise between both parties and both Houses of this Congress, which means, in essence, we have 535 different opinions and we have compromised down to one bill, which I think satisfies the base needs of all of us, or at least the vast majority of us who are in Congress right now.

This is legislation that reflects legislative priorities as to funding for vocational education.

□ 1045

It provides more funds than perhaps the programs that have been assigned to us by the Constitution would do to this particular body. But it does reflect those priorities.

Mr. Speaker, I urge my colleagues to support this resolution because a ''yes'' vote moves us forward. A ''no'' vote on this resolution would harm kids. Mr. Speaker, I support the resolution and the underlying legislation.

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 resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4157, HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 952 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 952

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. 4157) to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology. 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, with 35 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce and 25 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on Energy and Commerce and Ways and Means now printed in the bill, the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution, modified by the amendment printed in part B of such report, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the bill, as amended, shall be in order except those printed in part C of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. 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.

SEC. 2. After passage of H.R. 4157, it shall be in order to consider in the House S. 1418. All points of order against the Senate bill and against its consideration are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 4157 as passed by the House. All points of order against that motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendments to S. 1418 and request a conference with the Senate thereon.

SEC. 3. House Resolution 924 is laid upon the table.

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 gentlewoman from California (Ms. MATSUI), 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 with 35 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce and 25 minutes equally divided and controlled by the chairman and ranking minority member on the Committee on Ways and Means. The rule also provides one motion to recommit with or without instructions.

Mr. Speaker, the information age has greatly changed our economy by bringing about increased efficiencies in productivity. Virtually every sector of our economy benefits from the use of new information technologies.

Right here in Congress, for example, the use of technology has opened up access to the workings of our democracy like never before. Technology allows our constituents to quickly view the status of a bill or to look up our voting records.

Mr. Speaker, the health care industry has not fully embraced the advantages and benefits of information technology. According to a study by the RAND Corporation, only 15 percent of physicians and 20 percent of hospitals use computerized patient files.

Broad use of information technology in the health care system would certainly improve the quality and efficiency of health care delivery.

The use of health information technology is increasingly necessary to deliver the best care possible to individuals with chronic illnesses. The use of health care IT would also promote interoperability between providers and payers.

Efficiencies from coordinated development of health IT will accelerate and advance private and public efforts to improve quality, lower costs, reduce fraud and abuse, and promote the coordination of care. The synergy of these efficiencies will help achieve better health outcomes for patients.

The Health Information Technology Promotion Act, which we bring to the floor today, will improve the quality of care Americans receive through national adoption of electronic medical records and e-prescribing systems.

The legislation promotes the adoption and use of interoperable health information technology that prevents medical and prescription errors and costly duplicate tests, eliminates lost medical records, simplifies our administrative system, and improves medical care and the treatment of chronic illnesses.

The legislation we bring to the floor today provides grants for the use of health information technology to coordinate care among the uninsured and to implement technology in small physician practices. It also updates diagnostic coding, systems for the digital age, and provides for an expedited process to update standards.

Mr. Speaker, this legislation was introduced by Congresswoman NANCY JOHNSON, my dear friend, who is a true expert in the field of health care. It was reported out of the House Energy and Commerce Committee. We believe it is time that the health care industry moves to a digital future, and this legislation is an important step in seeing that to reality.

Mr. Speaker, I would like to thank Congresswoman JOHNSON and Chairman BARTON and Chairman THOMAS for

their leadership on this important issue. I urge my colleagues to support the rule that brings this legislation forth as well as the underlying legislation.

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

Ms. MATSUI. Mr. Speaker, I thank my good friend, the gentleman from Florida, for yielding me time; and I yield myself such time as I may consume.

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

Ms. MATSUI. Mr. Speaker, every Member of Congress recognizes the importance of health information technology. It holds the potential to save lives by reducing medical errors, and it can make our health care system more efficient by providing better care while keeping costs down.

In short, we could revolutionize the way our health care is delivered. What exactly is the potential? Physicians could have access to every relevant part of a patient's medical history at the precise moment a life-or-death decision needs to be made.

It is the tens of thousands of lives saved because of fewer medical errors. It means the newest ''Physicians Desks Reference'' and the most cutting-edge medical research on a hand-held device that a doctor can have at the patient's bedside.

This is not pie-in-the-sky ambition. Some health care leaders have already begun to adopt these ideas with great success. In the year 2000, the Veterans Administration implemented the most advanced electronic medical records system in the United States.

A recent article in Business Week noted that ''while studies show that 3 to 8 percent of the Nation's prescriptions are filed erroneously, the VA's prescription accuracy rate is greater than 99.99 percent, a level most hospitals only dream about.''

It should not be surprising that while many patients lost their paper medical records in the terrible aftermath of Hurricane Katrina, veterans did not. Veterans living in New Orleans were able to access their medical records at other VA hospitals because of health information technology.

Another example comes from my hometown of Sacramento. The UC Davis Medical Center has a world-renowned telemedicine program which connects patients in 80 rural areas across California to an immense amount of specialty care in Sacramento.

Let me tell you the story of Levi, a child who lives on a ranch in a nine-person town 60 miles north of Sacramento. After accidentally suffering third-degree burns on his leg, his parents took him to the closest hospital. Because of UC Davis's telemedicine program, Levi was treated by one of the few pediatric burn specialists in this country remotely from Sacramento.

Information technology could make this amazing program even better. Widespread adoption of this technology would enhance this expert advice by allowing the rural doctor to send Levi's medical history to the specialists at UC Davis instantly.

UC Davis has begun to implement electronic medical records, but many of these outlying areas cannot afford this technology without seed money.

That is the goal of establishing a national health information infrastructure. But we know such a comprehensive program isn't cheap. It could cost individual hospitals several million dollars and individual physicians $20,000 or $30,000 apiece.

So the issue needs more than Federal guidelines. It needs Federal financial support, seed money in a sense. Unfortunately, the bill we will debate today falls far short. It provides only $40 million in Federal grants. In a $1.3 trillion health care system, this does not even scratch the service.

In fact, the nonpartisan Congressional Budget Office, CBO, says the bill, as written, will do almost nothing to encourage health information technology. According to their analysis, it will not significantly influence the rate at which health information technology is adopted, nor will it ensure better quality technology.

Democrats have proposed a more effective proposal, backed by Federal seed money, just like the bipartisan Senate bill does. We would also add new privacy laws to strengthen patient protections. This would prepare us for the health information age.

It would require patients to give their consent before their health information could be shared with other people. It also requires data encryption to protect these health information networks from hackers.

It sides with patients by making sure that everyone, every individual and every health entity, complies with privacy protections.

Unfortunately, late last night the Rules Committee denied the House the opportunity to debate the Democratic alternative on the floor. As a result, I will be urging my colleagues to defeat the previous question and defeat this rule.

□ 1100

Mr. Speaker, information technology will bring our Nation's health care system tremendous benefits, but the devil is often in the details. This technology will not install itself. It will spread only with the right kind of Federal leadership. So, I urge my colleagues to support the Democratic substitute and support the responsible approach to national health information technology.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to my good friend, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Speaker, I rise in strong opposition to the rule for H.R. 4157. As a nurse, of course I want to see the expanded use of health information technology, such as electronic medical records. Expanded use of health IT holds great promise for facilitating better care, reducing medical errors, and eliminating burdensome paperwork, but the bill before us today has a glaring omission: It has no privacy protection for patients.

A privacy amendment I sponsored along with Representatives MARKEY, EMANUEL, DOGGETT, and KENNEDY was killed by the Republicans on the Rules Committee even though there is bipartisan support for this measure. As usual, the House won't be voting on a measure because the Republican leadership opposes it but is afraid that if we debate and vote on it in the House, they might lose the vote.

Let's be clear, there is no comprehensive privacy protection in this bill before us today. That means your personal sensitive health information is vulnerable. That means there is no recourse you could take to hold individuals accountable if they improperly obtain or disclose your most personal private information.

Opponents of privacy protection will argue that current HIPAA regulations are adequate. That argument is flawed. The lack of enforcement of privacy protections is widely known in the health community. Because of that, surveys show fewer entities are complying with HIPAA because they fear no consequences for privacy violations. And, these violations are occurring. Our privacy amendment would have guaranteed that you would be notified if your information is improperly disclosed and it would have allowed you recourse.

The amendment should have been made in order because its provisions are essential to protecting patients' rights during the nationwide adoption of health information technology. So I urge my colleagues to oppose the rule until we are allowed to consider a bill that protects our rights as patients and, indeed, the rights of all patients.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from California, my good friend (Ms. ESHOO).

Ms. ESHOO. I thank our distinguished member of the Rules Committee.

Mr. Speaker, I rise this morning in opposition to the rule and in opposition to the bill, and I want to state very clearly why. I believe that this bill is deeply deficient. And I am very disappointed because I had high hopes for this bill. At one time I was a cosponsor of it, but I removed my name from the bill when I saw what the deficiencies were and that the majority would not address them.

My colleague, Mrs. CAPPS, has just eloquently outlined the deep deficiency relative to privacy. If you ask any American about privacy and if they want it protected in their financial records and their medical records, there will be a resounding yes. This bill has no protection for the American people relative to privacy.

The second point, which is really a shame, that an HIT, health information technology bill, does not assure interoperability. My colleague from Florida mentioned this in his statement. There isn't going to be any point, it won't matter if every doctor, every hospital in our country has invested in robust IT technology if they can't communicate with one another. What this bill provides is that down the road, down the road 3 years, 5 years there may be interoperability. Does the majority not understand that in the market in terms of information technology that products change 6 months, 8 months. And so there isn't anything in the bill that assures that interoperability is going to take place.

I offered an amendment in the Rules Committee that was turned down. It ensured that purchasers and vendors in the HIT marketplace will be able to rely on representations about compliance with the interoperability standards adopted under this legislation by creating a voluntary certification process for HIT products.

Dr. David Brailer, the first national coordinator for health IT, said last month that if the government does not immediately employ interoperability standards in its purchasing, the adoption of the standards in the marketplace could take 5 to 7 years instead of 1 or 2 to implement.

So this is a wonderful vehicle, it sounds terrific, it is all shiny and waxed up. Everyone looks at it and says, doesn't this look terrific? I hate to dampen your spirits, but there isn't any gas in the engine and this dog is not going to hunt. It is an opportunity that has been squandered, and I reluctantly oppose the rule and the bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 4½ minutes to my good friend the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentlewoman. The great Irish poet, William Butler Yeats, used to say that, ''In dreams begins responsibility.''

There is a dream here that we can place all of the medical records of all Americans online, that can have an IT world where for the sake of patients we can move medical information across hundreds, thousands of miles to save the patient's life. And that is great. That is a great dream. But that dream will replace something that exists today, which is that when each of us goes in to visit a physician, when our family member's private medical records are inside a cabinet with a nurse that has a key that can open that drawer and pull out your family's private records, that you have confidence that that physician, that that nurse is not going to tell everyone else in town what the secrets are of your husband, of your wife, of your child, of your mother or your father, that there are protections, that privacy is sacred, that your physician is a privacy keeper and not a data mining information seeker.

As we move to this new era where information is being abrogated by medical insurance companies, HMOs, medical consultants, medical data mining companies, that we build in at the beginning of this era the privacy protections, the guarantees that each individual's family has a right to say, ''I don't want my family's psychiatric records, I don't want my child's medical records, I don't want this information, mental health, prescription drug records or other personal medical data put online without my permission. I just don't want it spread around without my permission, without my family's permission.''

So I went to the Rules Committee, and Congressmen KENNEDY, EMANUEL, DOGGETT, CAPPS, we requested that we have that debate here on the House floor, and the Republican leadership said no. No, we are just going to listen to the insurance industry. We are going to listen to the HMO industry. We are not going to allow a debate on medical privacy on the House floor as we move to this new era.

And I will tell you something, this is about as serious an issue as people can imagine affecting their family, and there are 84 million good reasons why we should have this debate: Because 84 million is the number of times over the last 2 years we have seen the compromise of the financial records of American people, from the ChoicePoint scandal, these you can go right down the whole line. But now we have the big enchilada, and that is the medical records of people's families.

And, by the way, this is not an issue that divides along Democrat or Republican lines, liberal or conservative lines. It polls out at over 80 percent of all Americans that want the right to be able to protect their own personal medical records.

So what has happened then? Well, what has happened is the Republican party is ignoring the fact that it polls out at 80 percent Democrat and Republican. And what they decided to do is to side with the insurance industry, side with the HMOs who want to use our personal medical records as a product, as something that allows them to go through and to identify useful information for the insurance industry, for HMOs.

William Butler Yeats once said that, ''In dreams begins responsibility.'' That should happen here on the House floor today. But the Republicans are abdicating that responsibility. They are saying, let's give the HMOs, let's give the data miners, let's give these consultants, let's give these insurance companies what they want now, and we will come back and revisit the privacy issue after there is a catastrophic compromise of privacy affecting millions of American families. That is not exercising the responsibility that should be exercised. Vote ''no'' on this rule. Vote ''no'' on this bill.

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

Mr. Speaker, Yeats wrote many wonderful, beautiful things. We in the Rules Committee deal with reality. The reality of the rule that we bring to the floor today in order to bring the underlying legislation on information technology for the health care industry brings forth and authorizes six amendments, six amendments to be debated by this House.

Our function is to listen, and we listened hour after hour after hour after hour, with great respect, in the Rules Committee to our colleagues who come forth with multiple ideas. We bring forth six amendments for the consideration of this entire body today. Of the six amendments, four are authored by Members of the opposition, of the Democrat Party; one is a bipartisan amendment, Republican and Democrat; and one is a Republican amendment. We think we are being fair, Mr. Speaker.

So we seek not to bring forth the beauty of Yeats, but in dealing with reality, in dealing with listening to hours of testimony from our colleagues, in authorizing four amendments of Democrats, one of a Republican, one of a bipartisan nature, we think we have done a fair job. And that is what we have authorized for consideration, for debate by this House in the rule that brings forward this very important legislation that we will be hearing about, and we will be hearing about as the authors of the legislation explain it in detail.

I am very proud to be a supporter of the legislation. It is important that information technology reach as much of the health care industry, patients, as possible so that mistakes are avoided, and so that access to the great advances of technology are made available to the largest number of people. There are important issues that this legislation is going to be bringing forth and dealing with and that this debate will entail.

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Now, obviously in order for debate to begin, we have to pass the rule which sets the terms of the debate. We are proud of those terms of debate, the extraordinarily fair nature of the terms of that debate. As I have said, Mr. Speaker, four amendments made in order are Democrat amendments, one is a Republican amendment, one is a bipartisan amendment.

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

Ms. MATSUI. Mr. Speaker, I yield 4 minutes to my good friend, the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I have been working on this issue for several years. I have met with countless groups across this country. I have forged bipartisan relationships to bring a solid piece of legislation before this House, and today I am disappointed to say that this legislation does not meet the mark.

The Congressional Budget Office itself has said this legislation, quote, would not significantly affect either the rate at which the use of health technology will grow or how well that technology will be designed and implemented.

So what is the point? If we cannot get this technology in the hands of the providers, what are we doing here? This legislation does not require us to adopt standards that are interoperability standards for all on a date certain. We need to do this within the next year and a half. We could do this within the next year.

We should be taking this opportunity and passing real health care information technology legislation; but, instead, we are passing a shadow of a bill that misses the opportunity to pass real opportunities for savings, both in people's lives and in countless dollars across this country.

Mr. Speaker, we spend twice what every other industrialized nation spends on health care. It is the worst system when it comes to employers paying incredible premiums. We see employees paying incredible premiums. We are seeing providers complain. Nobody is happy with the current health care system; and, yet, what are we doing about it? We are missing the opportunity today.

We could provide technology today that would help us implement quality standards so that when you are being treated, whether it is in Iowa or Rhode Island or New York, you get the same standard of care. But are those quality provisions in this bill? No, they are not.

We can make sure that we have provisions in this bill to have the privacy protections in place, as Mr. MARKEY just talked about. Are they in this bill? No, they are not.

How can we have an IT bill that does not set a date certain for technology, that does not have quality provisions in place so that we can use technology to bring the best and evidence-based medicines to the bedside? How can we not have provisions to protect privacy in an age when we are going electronic in health care records?

Mr. Speaker, this bill falls way short of our opportunities to make a fundamental change in our health care system. I am sorry I am going to have to oppose this rule. I am going to have to oppose this bill because I think it falls way short of the opportunities we have been given to make the most of this chance to get a better health care system today. We are squandering that chance. For that reason, I will oppose the rule and oppose the underlying bill.

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

Mr. Speaker, I am asking Members to vote ''no'' on the previous question so I can amend this rule and allow the House to consider the Dingell-Rangel substitute. This substitute was offered in the Rules Committee last night, but was blocked on a straight party-line vote.

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

The SPEAKER pro tempore (Mr. PRICE of Georgia). Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, I believe the Dingell-Rangel substitute offers Members a far better choice than the underlying bill.

This substitute is based on the bipartisan bill that was introduced by Senators FRIST, ENZI, KENNEDY and CLINTON and passed unanimously by the Senate last November. This substitute also contains important privacy protections necessary in this new electronic world.

The Democratic substitute requires the Federal Government to take a leading role in the adoption of standards for technology and adopting technology that will permit providers and others to communicate to each other electronically. This substitute will provide $257 million in grants and loans for providers and regional collaboratives to buy and implement health information technology.

This substitute also provides privacy protections beyond those in current law to ensure that patients' health information is secure. It requires that all individuals and entities with access to personal health information must comply with privacy protections to maintain patient confidentiality. The substitute also requires data encryption to prevent security breaches and the notification of patients in case of a security breach. Finally, it allows patients to seek redress when their privacy is breached.

I want Members to be aware that a ''no'' vote will not stop us from considering H.R. 4157. A ''no'' vote will simply allow the Dingell-Rangel substitute to be considered by this House by an up-or-down vote.

Vote ''no'' on the previous question so we can consider this important and responsible substitute.

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

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

I thank all of my colleagues who have participated in this very interesting debate today. Much has been made by opponents of the legislation of arguments with regard to privacy protections. I think it is relevant and should be pointed out that the very significant and extensive privacy protections contained in the Health Insurance Portability and Accountability Act of 1996 are not reduced in any way by this legislation that we bring forth to the floor today.

In fact, the American Psychiatric Association, the American Psychological Association, the National Association of Social Workers, the National Mental Health Association have said in a letter to the Energy and Commerce Committee, ''The Energy and Commerce language ensures that the current protections in the Health Insurance Portability and Accountability Act of 1996 are maintained, and we wish to commend the approach to privacy protections that the Energy and Commerce Committee proposes to take.''

I mean, it is relevant to point this out because much has been said that would seem or could be interpreted to contradict what I have just read from the American Psychiatric Association, the American Psychological Association, the National Association of Social Workers, the National Mental Health Association, very responsible entities that look out for the interests of many citizens who receive health care.

So, Mr. Speaker, urging the support of the underlying legislation, I also urge all of my colleagues to support this rule, which is very fair, makes more than twice as many amendments by Democrats than by Republicans in order. It is precisely in our interest to go the extra mile for fairness.

Mr. DINGELL. Mr. Speaker, I rise in strong opposition to this rule. There once was a time when we considered legislation under open rules. Any Member could offer an amendment. That was the way I, as chairman of the Committee on Energy and Commerce, brought bills to the House floor.

Eventually amendments were limited, perhaps under the guise of efficiency. But certainly the minority should be allowed to offer an alternative. Democrats brought an alternative to the Committee on Rules. It was supported by every Democrat on our committee.

It was not a radical alternative. It was identical to the bill that passed the Senate unanimously, with the addition of language to protect patient privacy. Yet this rule blocks the offering of our proposal.

If my Republican colleagues disagree with this substitute, fine—vote against it, but don't hide behind a rule that prevents us from offering it.

If we had an open rule, we could fairly debate this important issue. All of us want to improve health information technology. One hundred Senators voted for a bill to do so, but under this closed rule, if a Member of the House wanted to offer that Senate bill, which was sponsored by Republican Majority Leader FRIST, along with Senator ENZI, KENNEDY, and CLINTON, he or she could not do so.

That's right—my rubber stamp Republican colleagues are about to pass a rule that makes sure that a bill that passed unanimously in the Senate cannot even get a vote in the House. It is a closed rule and that

means only amendments that the Republican leaders can accept will get a vote.

I have read that many of my Republican colleagues are trying to distance themselves from the policies of the House Republican leadership. Well, here is your chance. Reject a rule that prohibits Members from offering a substitute that consists of a bill passed unanimously by 100 Senators. Reject a rule that prohibits an amendment dealing with the privacy of personal medical records.

But we know the fix is in. Why else did not a single Republican Member go to the Rules Committee to ask for a rule to allow them to offer a bill supported by 100 Senators? Why else did not a single Republican Member care to offer an amendment to protect the privacy of medical records?

A vote for this closed rule is, quite simply, a vote against bipartisanship. It is a vote against privacy protections for Americans. And it is a vote against getting a bill signed into law this Congress.

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

PREVIOUS QUESTION FOR H. RES. 952—H.R. 4157 HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006

At the end of the resolution, add the following:

SEC. 4. Notwithstanding any other provision of this resolution the amendment specified in section 5 shall be in order as though printed after the amendment numbered 6 in the report of the Committee on Rules if offered by Representative Dingell of Michigan or Representative Rangel of New York or a designee. That amendment shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

SEC. 5. The amendment referred to in section 2 is as follows:

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4157, AS REPORTED

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Wired for Health Care Quality Act''.

SEC. 2. IMPROVING HEALTH CARE QUALITY, SAFETY, AND EFFICIENCY.

The Public Health Service Act (42 U.S.C. 201 et seq.) is amended by adding at the end the following:

''TITLE XXIX—HEALTH INFORMATION TECHNOLOGY AND QUALITY

''SEC. 2901. DEFINITIONS.

''In this title:

''(1) HEALTH CARE PROVIDER.—The term 'health care provider' means a hospital, skilled nursing facility, home health entity, health care clinic, federally qualified health center, group practice (as defined in section 1877(h)(4) of the Social Security Act), a pharmacist, a pharmacy, a laboratory, a physician (as defined in section 1861(r) of the Social Security Act), a practitioner (as defined in section 1842(b)(18)(CC) of the Social Security Act), a health facility operated by or pursuant to a contract with the Indian Health Service, a rural health clinic, and any other category of facility or clinician determined appropriate by the Secretary.

''(2) HEALTH INFORMATION.—The term 'health information' has the meaning given such term in section 1171(4) of the Social Security Act.

''(3) HEALTH INSURANCE PLAN.—The term 'health insurance plan' means—

''(A) a health insurance issuer (as defined in section 2791(b)(2));

''(B) a group health plan (as defined in section 2791(a)(1)); and

''(C) a health maintenance organization (as defined in section 2791(b)(3)).

''(4) INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION.—The term 'individually identifiable health information' has the meaning given such term in section 1171 of the Social Security Act.

''(5) LABORATORY.—The term 'laboratory' has the meaning given that term in section 353.

''(6) PHARMACIST.—The term 'pharmacist' has the meaning given that term in section 804 of the Federal Food, Drug, and Cosmetic Act.

''(7) QUALIFIED HEALTH INFORMATION TECHNOLOGY.—The term 'qualified health information technology' means a computerized system (including hardware and software) that—

''(A) protects the privacy and security of health information;

''(B) maintains and provides permitted access to health information in an electronic format;

''(C) incorporates decision support to reduce medical errors and enhance health care quality;

''(D) complies with the standards adopted by the Federal Government under section 2903; and

''(E) allows for the reporting of quality measures under section 2908.

''(8) STATE.—The term 'State' means each of the several States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

''SEC. 2902. OFFICE OF THE NATIONAL COORDINATOR OF HEALTH INFORMATION TECHNOLOGY.

''(a) OFFICE OF NATIONAL HEALTH INFORMATION TECHNOLOGY.—There is established within the Office of the Secretary an Office of the National Coordinator of Health Information Technology (referred to in this section as the 'Office'). The Office shall be headed by a National Coordinator who shall be appointed by the Secretary and shall report directly to the Secretary.

''(b) PURPOSE.—It shall be the purpose of the Office to coordinate with relevant Federal agencies and private entities and oversee programs and activities to develop a nationwide interoperable health information technology infrastructure that—

''(1) ensures that patients' individually identifiable health information is secure and protected;

''(2) improves health care quality, reduces medical errors, and advances the delivery of patient-centered medical care;

''(3) reduces health care costs resulting from inefficiency, medical errors, inappropriate care, and incomplete information;

''(4) ensures that appropriate information to help guide medical decisions is available at the time and place of care;

''(5) promotes a more effective marketplace, greater competition, and increased choice through the wider availability of accurate information on health care costs, quality, and outcomes;

''(6) improves the coordination of care and information among hospitals, laboratories, physician offices, and other entities through an effective infrastructure for the secure and authorized exchange of health care information;

''(7) improves public health reporting and facilitates the early identification and rapid response to public health threats and emergencies, including bioterror events and infectious disease outbreaks;

''(8) facilitates health research; and

''(9) promotes prevention of chronic diseases.

''(c) DUTIES OF THE NATIONAL COORDINATOR.—The National Coordinator shall—

''(1) serve as the principal advisor to the Secretary concerning the development, application, and use of health information technology, and coordinate and oversee the health information technology programs of the Department;

''(2) facilitate the adoption of a nationwide, interoperable system for the electronic exchange of health information;

''(3) ensure the adoption and implementation of standards for the electronic exchange of health information to reduce cost and improve health care quality;

''(4) ensure that health information technology policy and programs of the Department are coordinated with those of relevant executive branch agencies (including Federal commissions) with a goal of avoiding duplication of efforts and of helping to ensure that each agency undertakes health information technology activities primarily within the areas of its greatest expertise and technical capability;

''(5) to the extent permitted by law, coordinate outreach and consultation by the relevant executive branch agencies (including Federal commissions) with public and private parties of interest, including consumers, payers, employers, hospitals and other health care providers, physicians, community health centers, laboratories, vendors and other stakeholders;

''(6) advise the President regarding specific Federal health information technology programs; and

''(7) prepare the reports described under section 2903(i) (excluding paragraph (4) of such section).

''(d) DETAIL OF FEDERAL EMPLOYEES.—

''(1) IN GENERAL.—Upon the request of the National Coordinator, the head of any Federal agency is authorized to detail, with or without reimbursement from the Office, any of the personnel of such agency to the Office to assist it in carrying out its duties under this section.

''(2) EFFECT OF DETAIL.—Any detail of personnel under paragraph (1) shall—

''(A) not interrupt or otherwise affect the civil service status or privileges of the Federal employee; and

''(B) be in addition to any other staff of the Department employed by the National Coordinator.

''(3) ACCEPTANCE OF DETAILEES.—Notwithstanding any other provision of law, the Office may accept detailed personnel from other Federal agencies without regard to whether the agency described under paragraph (1) is reimbursed.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the duplication of Federal efforts with respect to the establishment of the Office, regardless of whether such efforts were carried out prior to or after the enactment of this title.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $5,000,000 for fiscal year 2007, $5,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2011.

''SEC. 2903. AMERICAN HEALTH INFORMATION COLLABORATIVE.

''(a) PURPOSE.—The Secretary shall establish the public-private American Health Information Collaborative (referred to in this section as the 'Collaborative') to—

''(1) advise the Secretary and recommend specific actions to achieve a nationwide interoperable health information technology infrastructure;

''(2) serve as a forum for the participation of a broad range of stakeholders to provide input on achieving the interoperability of health information technology; and

''(3) recommend standards (including content, communication, and security standards) for the electronic exchange of health information (including for the reporting of quality data under section 2908) for adoption by the Federal Government and voluntary adoption by private entities.

''(b) COMPOSITION.—

''(1) IN GENERAL.—The Collaborative shall be composed of members of the public and private sectors to be appointed by the Secretary, including representatives from—

''(A) consumer or patient organizations;

''(B) organizations with expertise in privacy and security;

''(C) health care providers;

''(D) health insurance plans or other third party payors;

''(E) information technology vendors; and

''(F) purchasers or employers.

''(2) PARTICIPATION.—In appointing members under paragraph (1), and in developing the procedures for conducting the activities of the Collaborative, the Secretary shall ensure a balance among various sectors of the health care system so that no single sector unduly influences the recommendations of the Collaborative.

''(3) TERMS.—Members appointed under paragraph (1) shall serve for 2 year terms, except that any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of such term. A member may serve for not to exceed 180 days after the expiration of such member's term or until a successor has been appointed.

''(4) OUTSIDE INVOLVEMENT.—With respect to the functions of the Collaborative, the Secretary shall ensure an adequate opportunity for the participation of outside advisors, including individuals with expertise in—

''(A) health information privacy;

''(B) health information security;

''(C) health care quality and patient safety, including individuals with expertise in utilizing health information technology to improve health care quality and patient safety;

''(D) data exchange; and

''(E) developing health information technology standards and new health information technology.

''(c) RECOMMENDATIONS AND POLICIES.—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Collaborative shall recommend to the Secretary uniform national policies for adoption by the Federal Government and voluntary adoption by private entities to support the widespread adoption of health information technology, including—

''(1) protection of individually identifiable health information through privacy and security practices;

''(2) measures to prevent unauthorized access to health information, including unauthorized access through the use of certain peer-to-peer file-sharing applications;

''(3) methods to notify patients if their individually identifiable health information is wrongfully disclosed;

''(4) methods to facilitate secure patient access to health information;

''(5) fostering the public understanding of health information technology;

''(6) the ongoing harmonization of industry-wide health information technology standards;

''(7) recommendations for a nationwide interoperable health information technology infrastructure;

''(8) the identification and prioritization of specific use cases for which health information technology is valuable, beneficial, and feasible;

''(9) recommendations for the establishment of an entity to ensure the continuation of the functions of the Collaborative; and

''(10) other policies (including recommendations for incorporating health information technology into the provision of care and the organization of the health care workplace) determined to be necessary by the Collaborative.

''(d) STANDARDS.—

''(1) EXISTING STANDARDS.—The standards adopted by the Consolidated Health Informatics Initiative shall be deemed to have been recommended by the Collaborative under this section.

''(2) FIRST YEAR REVIEW.—Not later than 1 year after the date of enactment of this title, the Collaborative shall—

''(A) review existing standards (including content, communication, and security standards) for the electronic exchange of health information;

''(B) identify deficiencies and omissions in such existing standards; and

''(C) identify duplication and overlap in such existing standards;

and recommend new standards and modifications to such existing standards as necessary.

''(3) ONGOING REVIEW.—Beginning 1 year after the date of enactment of this title, and annually thereafter, the Collaborative shall—

''(A) review existing standards (including content, communication, and security standards) for the electronic exchange of health information;

''(B) identify deficiencies and omissions in such existing standards; and

''(C) identify duplication and overlap in such existing standards;

and recommend new standards and modifications to such existing standards as necessary.

''(4) LIMITATION.—The standards and timeframe for adoption described in this section shall be consistent with any standards developed pursuant to the Health Insurance Portability and Accountability Act of 1996.

''(e) FEDERAL ACTION.—Not later than 90 days after the issuance of a recommendation from the Collaborative under subsection (d)(2), the Secretary of Health and Human Services, the Secretary of Veterans Affairs, and the Secretary of Defense, in collaboration with representatives of other relevant Federal agencies, as determined appropriate by the Secretary, shall jointly review such recommendations. If appropriate, the Secretary shall provide for the adoption by the Federal Government of any standard or standards contained in such recommendation.

''(f) COORDINATION OF FEDERAL SPENDING.—

''(1) IN GENERAL.—Not later than 1 year after the adoption by the Federal Government of a recommendation as provided for in subsection (e), and in compliance with chapter 113 of title 40, United States Code, no Federal agency shall expend Federal funds for the purchase of any new health information technology or health information technology system for clinical care or for the electronic retrieval, storage, or exchange of health information that is not consistent with applicable standards adopted by the Federal Government under subsection (e).

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to restrict the purchase of minor (as determined by the Secretary) hardware or software components in order to modify, correct a deficiency in, or extend the life of existing hardware or software.

''(g) COORDINATION OF FEDERAL DATA COLLECTION.—Not later than 3 years after the adoption by the Federal Government of a recommendation as provided for in subsection (e), all Federal agencies collecting health data for the purposes of quality reporting, surveillance, epidemiology, adverse event reporting, research, or for other purposes determined appropriate by the Secretary, shall comply with standards adopted under subsection (e).

''(h) VOLUNTARY ADOPTION.—

''(1) IN GENERAL.—Any standards adopted by the Federal Government under subsection (e) shall be voluntary with respect to private entities.

''(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require that a private entity that enters into a contract with the Federal Government adopt the standards adopted by the Federal Government under this section with respect to activities not related to the contract.

''(3) LIMITATION.—Private entities that enter into a contract with the Federal Government shall adopt the standards adopted by the Federal Government under this section for the purpose of activities under such Federal contract.

''(i) REPORTS.—The Secretary shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate and the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives, on an annual basis, a report that—

''(1) describes the specific actions that have been taken by the Federal Government and private entities to facilitate the adoption of an interoperable nationwide system for the electronic exchange of health information;

''(2) describes barriers to the adoption of such a nationwide system;

''(3) contains recommendations to achieve full implementation of such a nationwide system; and

''(4) contains a plan and progress toward the establishment of an entity to ensure the continuation of the functions of the Collaborative.

''(j) APPLICATION OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Collaborative, except that the term provided for under section 14(a)(2) shall be 5 years.

''(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the duplication of Federal efforts with respect to the establishment of the Collaborative, regardless of whether such efforts were carried out prior to or after the enactment of this title.

''(l) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $4,000,000 for fiscal year 2007, $4,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2011.

"SEC. 2904. IMPLEMENTATION AND CERTIFICATION OF HEALTH INFORMATION STANDARDS.

''(a) IMPLEMENTATION.—

''(1) IN GENERAL.—The Secretary, based upon the recommendations of the Collaborative, shall develop criteria to ensure uniform and consistent implementation of any standards for the electronic exchange of health information voluntarily adopted by private entities in technical conformance with such standards adopted under this title.

''(2) IMPLEMENTATION ASSISTANCE.—The Secretary may recognize a private entity or entities to assist private entities in the implementation of the standards adopted under this title using the criteria developed by the Secretary under this section.

''(b) CERTIFICATION.—

''(1) IN GENERAL.—The Secretary, based upon the recommendations of the Collaborative, shall develop criteria to ensure and certify that hardware and software that claim to be in compliance with applicable standards for the electronic exchange of

health information adopted under this title have established and maintained such compliance in technical conformance with such standards.

''(2) CERTIFICATION ASSISTANCE.—The Secretary may recognize a private entity or entities to assist in the certification described under paragraph (1) using the criteria developed by the Secretary under this section.

''(c) OUTSIDE INVOLVEMENT.—The Secretary, through consultation with the Collaborative, may accept recommendations on the development of the criteria under subsections (a) and (b) from a Federal agency or private entity.

''SEC. 2905. PRIVACY AND SECURITY PROTECTIONS.

''(a) IN GENERAL.—The Secretary shall provide for standards for health information technology (as such term is used in this title) that include the following privacy and security protections:

''(1) Except as provided in succeeding paragraphs, each entity must—

''(A) expressly recognize the individual's right to privacy and security with respect to the electronic disclosure of such information;

''(B) permit individuals to exercise their right to privacy and security in the electronic disclosure of such information to another entity by obtaining the individual's written or electronic informed consent, which consent may authorize multiple disclosures;

''(C) permit an individual to prohibit access to certain categories of individuals (as defined by the Secretary) of particularly sensitive information, including data relating to infection with the human immunodeficiency virus (HIV), to mental health, to sexually transmitted diseases, to reproductive health, to domestic violence, to substance abuse treatment, to genetic testing or information, to diabetes, and other information as defined by the Secretary after consent has been provided under subparagraph (B).

''(2) Informed consent may be inferred, in the absence of a contrary indication by the individual—

''(A) to the extent necessary to provide treatment and obtain payment for health care in emergency situations;

''(B) to the extent necessary to provide treatment and payment where the health care provider is required by law to treat the individual;

''(C) if the health care provider is unable to obtain consent due to substantial barriers to communicating with the individual and the provider reasonably infers from the circumstances, based upon the exercise of professional judgment, that the individual does not object to the disclosure or that the disclosure is in the best interest of the individual; and

''(D) to the extent that the information is necessary to carry out or otherwise implement a medical practitioner's order or prescription for health services, medical devices or supplies, or pharmaceuticals.

''(3) The protections must prohibit the improper use and disclosure of individually identifiable health information by any entity.

''(4) The protections must provide any individual a right to obtain damages and other relief against any entity for the entity's improper use or disclosure of individually identifiable health information.

''(5) The protections must require the use of reasonable safeguards, including audit capabilities, encryption and other technologies that make data unusable to unauthorized persons, and other measures, against the risk of loss or unauthorized access, destruction, use, modification, or disclosure of individually identifiable health information.

''(6) The protections must provide for notification to any individual whose individually identifiable health information has been lost, stolen, or used for an unauthorized purpose by the entity responsible for the information and notification by the entity to the Secretary.

''(b) LIST OF ENTITIES.—The Secretary shall maintain a public list identifying entities whose health information has been lost, stolen, or used in an unauthorized purpose as described in subsection (a)(6) and how many patients were affected by such action.

''(c) CONSTRUCTION.—Nothing in this section shall be construed as superseding, altering, or affecting (in whole or in part) any statute, regulation, order, or interpretation in effect in any State that affords any person privacy and security protections greater than that the privacy and security protections described in subsection (a), as determined by the Secretary.

''SEC. 2906. GRANTS TO FACILITATE THE WIDESPREAD ADOPTION OF INTEROPERABLE HEALTH INFORMATION TECHNOLOGY.

''(a) COMPETITIVE GRANTS TO FACILITATE THE WIDESPREAD ADOPTION OF HEALTH INFORMATION TECHNOLOGY.—

''(1) IN GENERAL.—The Secretary may award competitive grants to eligible entities to facilitate the purchase and enhance the utilization of qualified health information technology systems to improve the quality and efficiency of health care.

''(2) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1) an entity shall—

''(A) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

''(B) submit to the Secretary a strategic plan for the implementation of data sharing and interoperability measures;

''(C) be a—

''(i) not for profit hospital, including a federally qualified health center (as defined in section 1861(aa)(4) of the Social Security Act);

''(ii) individual or group practice; or

''(iii) another health care provider not described in clause (i) or (ii);

''(D) adopt the standards adopted by the Federal Government under section 2903;

''(E) implement the measures adopted under section 2908 and report to the Secretary on such measures;

''(F) agree to notify patients if their individually identifiable health information is wrongfully disclosed;

''(G) demonstrate significant financial need; and

''(H) provide matching funds in accordance with paragraph (4).

''(3) USE OF FUNDS.—Amounts received under a grant under this subsection shall be used to facilitate the purchase and enhance the utilization of qualified health information technology systems and training personnel in the use of such technology.

''(4) MATCHING REQUIREMENT.—To be eligible for a grant under this subsection an entity shall contribute non-Federal contributions to the costs of carrying out the activities for which the grant is awarded in an amount equal to $1 for each $3 of Federal funds provided under the grant.

''(5) PREFERENCE IN AWARDING GRANTS.—In awarding grants under this subsection the Secretary shall give preference to—

''(A) eligible entities that are located in rural, frontier, and other underserved areas as determined by the Secretary;

''(B) eligible entities that will link, to the extent practicable, the qualified health information system to local or regional health information plan or plans; and

''(C) with respect to an entity described in subsection (a)(2)(C)(iii), a nonprofit health care provider.

''(b) COMPETITIVE GRANTS TO STATES FOR THE DEVELOPMENT OF STATE LOAN PROGRAMS TO FACILITATE THE WIDESPREAD ADOPTION OF HEALTH INFORMATION TECHNOLOGY.—

''(1) IN GENERAL.—The Secretary may award competitive grants to States for the establishment of State programs for loans to health care providers to facilitate the purchase and enhance the utilization of qualified health information technology.

''(2) ESTABLISHMENT OF FUND.—To be eligible to receive a competitive grant under this subsection, a State shall establish a qualified health information technology loan fund (referred to in this subsection as a 'State loan fund') and comply with the other requirements contained in this section. A grant to a State under this subsection shall be deposited in the State loan fund established by the State. No funds authorized by other provisions of this title to be used for other purposes specified in this title shall be deposited in any State loan fund.

''(3) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1) a State shall—

''(A) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

''(B) submit to the Secretary a strategic plan in accordance with paragraph (4);

''(C) establish a qualified health information technology loan fund in accordance with paragraph (2);

''(D) require that health care providers receiving such loans—

''(i) link, to the extent practicable, the qualified health information system to a local or regional health information network;

''(ii) consult with the Health Information Technology Resource Center established in section 914(d) to access the knowledge and experience of existing initiatives regarding the successful implementation and effective use of health information technology; and

''(iii) agree to notify patients if their individually identifiable health information is wrongfully disclosed;

''(E) require that health care providers receiving such loans adopt the standards adopted by the Federal Government under section 2903;

''(F) require that health care providers receiving such loans implement the measures adopted under section 2908 and report to the Secretary on such measures; and

''(G) provide matching funds in accordance with paragraph (8).

''(4) STRATEGIC PLAN.—

''(A) IN GENERAL.—A State that receives a grant under this subsection shall annually prepare a strategic plan that identifies the intended uses of amounts available to the State loan fund of the State.

''(B) CONTENTS.—A strategic plan under subparagraph (A) shall include—

''(i) a list of the projects to be assisted through the State loan fund in the first fiscal year that begins after the date on which the plan is submitted;

''(ii) a description of the criteria and methods established for the distribution of funds from the State loan fund; and

''(iii) a description of the financial status of the State loan fund and the short-term and long-term goals of the State loan fund.

''(5) USE OF FUNDS.—

''(A) IN GENERAL.—Amounts deposited in a State loan fund, including loan repayments and interest earned on such amounts, shall be used only for awarding loans or loan guarantees, or as a source of reserve and security for leveraged loans, the proceeds of which

are deposited in the State loan fund established under paragraph (1). Loans under this section may be used by a health care provider to facilitate the purchase and enhance the utilization of qualified health information technology and training of personnel in the use of such technology.

''(B) LIMITATION.—Amounts received by a State under this subsection may not be used—

''(i) for the purchase or other acquisition of any health information technology system that is not a qualified health information technology system;

''(ii) to conduct activities for which Federal funds are expended under this title, or the amendments made by the Wired for Health Care Quality Act; or

''(iii) for any purpose other than making loans to eligible entities under this section.

''(6) TYPES OF ASSISTANCE.—Except as otherwise limited by applicable State law, amounts deposited into a State loan fund under this subsection may only be used for the following:

''(A) To award loans that comply with the following:

''(i) The interest rate for each loan shall be less than or equal to the market interest rate.

''(ii) The principal and interest payments on each loan shall commence not later than 1 year after the loan was awarded, and each loan shall be fully amortized not later than 10 years after the date of the loan.

''(iii) The State loan fund shall be credited with all payments of principal and interest on each loan awarded from the fund.

''(B) To guarantee, or purchase insurance for, a local obligation (all of the proceeds of which finance a project eligible for assistance under this subsection) if the guarantee or purchase would improve credit market access or reduce the interest rate applicable to the obligation involved.

''(C) As a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the State if the proceeds of the sale of the bonds will be deposited into the State loan fund.

''(D) To earn interest on the amounts deposited into the State loan fund.

''(7) ADMINISTRATION OF STATE LOAN FUNDS.—

''(A) COMBINED FINANCIAL ADMINISTRATION.—A State may (as a convenience and to avoid unnecessary administrative costs) combine, in accordance with State law, the financial administration of a State loan fund established under this subsection with the financial administration of any other revolving fund established by the State if otherwise not prohibited by the law under which the State loan fund was established.

''(B) COST OF ADMINISTERING FUND.—Each State may annually use not to exceed 4 percent of the funds provided to the State under a grant under this subsection to pay the reasonable costs of the administration of the programs under this section, including the recovery of reasonable costs expended to establish a State loan fund which are incurred after the date of enactment of this title.

''(C) GUIDANCE AND REGULATIONS.—The Secretary shall publish guidance and promulgate regulations as may be necessary to carry out the provisions of this subsection, including—

''(i) provisions to ensure that each State commits and expends funds allotted to the State under this subsection as efficiently as possible in accordance with this title and applicable State laws; and

''(ii) guidance to prevent waste, fraud, and abuse.

''(D) PRIVATE SECTOR CONTRIBUTIONS.—

''(i) IN GENERAL.—A State loan fund established under this subsection may accept contributions from private sector entities, except that such entities may not specify the recipient or recipients of any loan issued under this subsection.

''(ii) AVAILABILITY OF INFORMATION.—A State shall make publicly available the identity of, and amount contributed by, any private sector entity under clause (i) and may issue letters of commendation or make other awards (that have no financial value) to any such entity.

''(8) MATCHING REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary may not make a grant under paragraph (1) to a State unless the State agrees to make available (directly or through donations from public or private entities) non-Federal contributions in cash toward the costs of the State program to be implemented under the grant in an amount equal to not less than $1 for each $1 of Federal funds provided under the grant.

''(B) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—In determining the amount of non-Federal contributions that a State has provided pursuant to subparagraph (A), the Secretary may not include any amounts provided to the State by the Federal Government.

''(9) PREFERENCE IN AWARDING GRANTS.—The Secretary may give a preference in awarding grants under this subsection to States that adopt value-based purchasing programs to improve health care quality.

''(10) REPORTS.—The Secretary shall annually submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate, and the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives, a report summarizing the reports received by the Secretary from each State that receives a grant under this subsection.

''(c) COMPETITIVE GRANTS FOR THE IMPLEMENTATION OF REGIONAL OR LOCAL HEALTH INFORMATION TECHNOLOGY PLANS.—

''(1) IN GENERAL.—The Secretary may award competitive grants to eligible entities to implement regional or local health information plans to improve health care quality and efficiency through the electronic exchange of health information pursuant to the standards, protocols, and other requirements adopted by the Secretary under sections 2903 and 2908.

''(2) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1) an entity shall—

''(A) demonstrate financial need to the Secretary;

''(B) demonstrate that one of its principal missions or purposes is to use information technology to improve health care quality and efficiency;

''(C) adopt bylaws, memoranda of understanding, or other charter documents that demonstrate that the governance structure and decisionmaking processes of such entity allow for participation on an ongoing basis by multiple stakeholders within a community, including—

''(i) physicians (as defined in section 1861(r) of the Social Security Act), including physicians that provide services to low income and underserved populations;

''(ii) hospitals (including hospitals that provide services to low income and underserved populations);

''(iii) pharmacists or pharmacies;

''(iv) health insurance plans;

''(v) health centers (as defined in section 330(b)) and Federally qualified health centers (as defined in section 1861(aa)(4) of the Social Security Act);

''(vi) rural health clinics (as defined in section 1861(aa) of the Social Security Act);

''(vii) patient or consumer organizations;

''(viii) employers; and

''(ix) any other health care providers or other entities, as determined appropriate by the Secretary;

''(D) demonstrate the participation, to the extent practicable, of stakeholders in the electronic exchange of health information within the local or regional plan pursuant to paragraph (2)(C);

''(E) adopt nondiscrimination and conflict of interest policies that demonstrate a commitment to open, fair, and nondiscriminatory participation in the health information plan by all stakeholders;

''(F) adopt the standards adopted by the Secretary under section 2903;

''(G) require that health care providers receiving such grants implement the measures adopted under section 2908 and report to the Secretary on such measures;

''(H) agree to notify patients if their individually identifiable health information is wrongfully disclosed;

''(I) facilitate the electronic exchange of health information within the local or regional area and among local and regional areas;

''(J) prepare and submit to the Secretary an application in accordance with paragraph (3); and

''(K) agree to provide matching funds in accordance with paragraph (5).

''(3) APPLICATION.—

''(A) IN GENERAL.—To be eligible to receive a grant under paragraph (1), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(B) REQUIRED INFORMATION.—At a minimum, an application submitted under this paragraph shall include—

''(i) clearly identified short-term and long-term objectives of the regional or local health information plan;

''(ii) a technology plan that complies with the standards adopted under section 2903 and that includes a descriptive and reasoned estimate of costs of the hardware, software, training, and consulting services necessary to implement the regional or local health information plan;

''(iii) a strategy that includes initiatives to improve health care quality and efficiency, including the use and reporting of health care quality measures adopted under section 2908;

''(iv) a plan that describes provisions to encourage the implementation of the electronic exchange of health information by all physicians, including single physician practices and small physician groups participating in the health information plan;

''(v) a plan to ensure the privacy and security of personal health information that is consistent with Federal and State law;

''(vi) a governance plan that defines the manner in which the stakeholders shall jointly make policy and operational decisions on an ongoing basis;

''(vii) a financial or business plan that describes—

''(I) the sustainability of the plan;

''(II) the financial costs and benefits of the plan; and

''(III) the entities to which such costs and benefits will accrue; and

''(viii) in the case of an applicant entity that is unable to demonstrate the participation of all stakeholders pursuant to paragraph (2)(C), the justification from the entity for any such nonparticipation.

''(4) USE OF FUNDS.—Amounts received under a grant under paragraph (1) shall be used to establish and implement a regional or local health information plan in accordance with this subsection.

''(5) MATCHING REQUIREMENT.—

''(A) IN GENERAL.—The Secretary may not make a grant under this subsection to an entity unless the entity agrees that, with respect to the costs to be incurred by the entity in carrying out the infrastructure program for which the grant was awarded, the entity will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount equal to not less than 50 percent of such costs ($1 for each $2 of Federal funds provided under the grant).

''(B) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required under subparagraph (A) may be in cash or in kind, fairly evaluated, including equipment, technology, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

''(d) REPORTS.—Not later than 1 year after the date on which the first grant is awarded under this section, and annually thereafter during the grant period, an entity that receives a grant under this section shall submit to the Secretary a report on the activities carried out under the grant involved. Each such report shall include—

''(1) a description of the financial costs and benefits of the project involved and of the entities to which such costs and benefits accrue;

''(2) an analysis of the impact of the project on health care quality and safety;

''(3) a description of any reduction in duplicative or unnecessary care as a result of the project involved;

''(4) a description of the efforts of recipients under this section to facilitate secure patient access to health information; and

''(5) other information as required by the Secretary.

''(e) REQUIREMENT TO ACHIEVE QUALITY IMPROVEMENT.—The Secretary shall annually evaluate the activities conducted under this section and shall, in awarding grants, implement the lessons learned from such evaluation in a manner so that awards made subsequent to each such evaluation are made in a manner that, in the determination of the Secretary, will result in the greatest improvement in quality measures under section 2908.

''(f) LIMITATION.—An eligible entity may only receive one non-renewable grant under subsection (a), one non-renewable grant under subsection (b), and one non-renewable grant under subsection (c).

''(g) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—For the purpose of carrying out this section, there is authorized to be appropriated $116,000,000 for fiscal year 2007, $141,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2011.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available through fiscal year 2011.

''SEC. 2907. DEMONSTRATION PROGRAM TO INTEGRATE INFORMATION TECHNOLOGY INTO CLINICAL EDUCATION.

''(a) IN GENERAL.—The Secretary may award grants under this section to carry out demonstration projects to develop academic curricula integrating qualified health information technology systems in the clinical education of health professionals. Such awards shall be made on a competitive basis and pursuant to peer review.

''(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), an entity shall—

''(1) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

''(2) submit to the Secretary a strategic plan for integrating qualified health information technology in the clinical education of health professionals and for ensuring the consistent utilization of decision support software to reduce medical errors and enhance health care quality;

''(3) be—

''(A) a health professions school;

''(B) a school of nursing; or

''(C) an institution with a graduate medical education program;

''(4) provide for the collection of data regarding the effectiveness of the demonstration project to be funded under the grant in improving the safety of patients, the efficiency of health care delivery, and in increasing the likelihood that graduates of the grantee will adopt and incorporate health information technology, and implement the quality measures adopted under section 2908, in the delivery of health care services; and

''(5) provide matching funds in accordance with subsection (c).

''(c) USE OF FUNDS.—

''(1) IN GENERAL.—With respect to a grant under subsection (a), an eligible entity shall—

''(A) use grant funds in collaboration with 2 or more disciplines; and

''(B) use grant funds to integrate qualified health information technology into community-based clinical education.

''(2) LIMITATION.—An eligible entity shall not use amounts received under a grant under subsection (a) to purchase hardware, software, or services.

''(d) MATCHING FUNDS.—

''(1) IN GENERAL.—The Secretary may award a grant to an entity under this section only if the entity agrees to make available non-Federal contributions toward the costs of the program to be funded under the grant in an amount that is not less than $1 for each $2 of Federal funds provided under the grant.

''(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under paragraph (1) may be in cash or in kind, fairly evaluated, including equipment or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.

''(e) EVALUATION.—The Secretary shall take such action as may be necessary to evaluate the projects funded under this section and publish, make available, and disseminate the results of such evaluations on as wide a basis as is practicable.

''(f) REPORTS.—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate, and the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives a report that—

''(1) describes the specific projects established under this section; and

''(2) contains recommendations for Congress based on the evaluation conducted under subsection (e).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2010.

''(h) SUNSET.—This section shall not apply after September 30, 2010.

''SEC. 2908. QUALITY MEASURES.

''(a) IN GENERAL.—The Secretary shall develop quality measures, including measures to assess the effectiveness, timeliness, patient self-management, patient centeredness, efficiency, and safety, for the purpose of measuring the quality of care patients receive.

''(b) REQUIREMENTS.—The Secretary shall ensure that the quality measures developed under this section comply with the following:

''(1) MEASURES.—

''(A) REQUIREMENTS.—In developing the quality measures under this section, the Secretary shall, to the extent feasible, ensure that—

''(i) such measures are evidence based, reliable, and valid;

''(ii) such measures are consistent with the purposes described in section 2902(b);

''(iii) such measures include measures of clinical processes and outcomes, patient experience, efficiency, and equity; and

''(iv) such measures include measures of overuse and underuse of health care items and services.

''(2) PRIORITIES.—In developing the quality measures under this section, the Secretary shall ensure that priority is given to—

''(A) measures with the greatest potential impact for improving the quality and efficiency of care provided under this Act;

''(B) measures that may be rapidly implemented by group health plans, health insurance issuers, physicians, hospitals, nursing homes, long-term care providers, and other providers; and

''(C) measures which may inform health care decisions made by consumers and patients.

''(3) RISK ADJUSTMENT.—The Secretary shall establish procedures to account for differences in patient health status, patient characteristics, and geographic location. To the extent practicable, such procedures shall recognize existing procedures.

''(4) MAINTENANCE.—The Secretary shall, as determined appropriate, but in no case more often than once during each 12-month period, update the quality measures, including through the addition of more accurate and precise measures and the retirement of existing outdated measures.

''(5) RELATIONSHIP WITH PROGRAMS UNDER THE SOCIAL SECURITY ACT.—The Secretary shall ensure that the quality measures developed under this section—

''(A) complement quality measures developed by the Secretary under programs administered by the Secretary under the Social Security Act, including programs under titles XVIII, XIX, and XXI of such Act; and

''(B) do not conflict with the needs and priorities of the programs under titles XVIII, XIX, and XXI of such Act, as set forth by the Administrator of the Centers for Medicare & Medicaid Services.

''(c) REQUIRED CONSIDERATIONS IN DEVELOPING AND UPDATING THE MEASURES.—In developing and updating the quality measures under this section, the Secretary may take into account—

''(1) any demonstration or pilot program conducted by the Secretary relating to measuring and rewarding quality and efficiency of care;

''(2) any existing activities conducted by the Secretary relating to measuring and rewarding quality and efficiency;

''(3) any existing activities conducted by private entities, including health insurance plans and payors;

''(4) the report by the Institute of Medicine of the National Academy of Sciences under section 238(b) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003; and

''(5) issues of data collection and reporting, including the feasibility of collecting and reporting data on measures.

''(d) SOLICITATION OF ADVICE AND RECOMMENDATIONS.—On and after July 1, 2007,

the Secretary shall consult with the following regarding the development, updating, and use of quality measures developed under this section:

''(1) Health insurance plans and health care providers, including such plans and providers with experience in the care of the frail elderly and individuals with multiple complex chronic conditions, or groups representing such health insurance plans and providers.

''(2) Groups representing patients and consumers.

''(3) Purchasers and employers or groups representing purchasers or employers.

''(4) Organizations that focus on quality improvement as well as the measurement and reporting of quality measures.

''(5) Organizations that certify and license health care providers.

''(6) State government public health programs.

''(7) Individuals or entities skilled in the conduct and interpretation of biomedical, health services, and health economics research and with expertise in outcomes and effectiveness research and technology assessment.

''(8) Individuals or entities involved in the development and establishment of standards and certification for health information technology systems and clinical data.

''(9) Individuals or entities with experience with—

''(A) urban health care issues;

''(B) safety net health care issues; and

''(C) rural and frontier health care issues.

''(e) USE OF QUALITY MEASURES.—

''(1) IN GENERAL.—For purposes of activities conducted or supported by the Secretary under this Act, the Secretary shall, to the extent practicable, adopt and utilize the quality measures developed under this section.

''(2) COLLABORATIVE AGREEMENTS.—With respect to activities conducted or supported by the Secretary under this Act, the Secretary may establish collaborative agreements with private entities, including group health plans and health insurance issuers, providers, purchasers, consumer organizations, and entities receiving a grant under section 2906, to—

''(A) encourage the use of the quality measures adopted by the Secretary under this section; and

''(B) foster uniformity between the health care quality measures utilized by private entities.

''(3) REPORTING.—The Secretary shall implement procedures to enable the Department of Health and Human Services to accept the electronic submission of data for purposes of—

''(A) quality measurement using the quality measures developed under this section and using the standards adopted by the Federal Government under section 2903; and

''(B) for reporting measures used to make value-based payments under programs under the Social Security Act.

''(f) DISSEMINATION OF INFORMATION.—Beginning on January 1, 2008, in order to make comparative quality information available to health care consumers, health professionals, public health officials, researchers, and other appropriate individuals and entities, the Secretary shall provide for the dissemination, aggregation, and analysis of quality measures collected under section 2906 and the dissemination of recommendations and best practices derived in part from such analysis.

''(g) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to public and private entities to enable such entities to—

''(1) implement and use evidence-based guidelines with the greatest potential to improve health care quality, efficiency, and patient safety; and

''(2) establish mechanisms for the rapid dissemination of information regarding evidence-based guidelines with the greatest potential to improve health care quality, efficiency, and patient safety.

''(h) RULE OF CONSTRUCTION.—Nothing in this title shall be construed as prohibiting the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, from developing quality measures (and timing requirements for reporting such measures) for use under programs administered by the Secretary under the Social Security Act, including programs under titles XVIII, XIX, and XXI of such Act.''.

SEC. 3. LICENSURE AND THE ELECTRONIC EXCHANGE OF HEALTH INFORMATION.

(a) IN GENERAL.—The Secretary of Health and Human Services shall carry out, or contract with a private entity to carry out, a study that examines—

(1) the variation among State laws that relate to the licensure, registration, and certification of medical professionals; and

(2) how such variation among State laws impacts the secure electronic exchange of health information—

(A) among the States; and

(B) between the States and the Federal Government.

(b) REPORT AND RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall publish a report that—

(1) describes the results of the study carried out under subsection (a); and

(2) makes recommendations to States regarding the harmonization of State laws based on the results of such study.

SEC. 4. ENSURING PRIVACY AND SECURITY.

Nothing in this Act (or the amendments made by this Act) shall be construed to affect the scope, substance, or applicability of—

(1) section 264 of the Health Insurance Portability and Accountability Act of 1996;

(2) sections 1171 through 1179 of the Social Security Act; and

(3) any regulation issued pursuant to any such section.

SEC. 5. GAO STUDY.

Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the necessity and workability of requiring health plans (as defined in section 1171 of the Social Security Act (42 U.S.C. 1320d)), health care clearinghouses (as defined in such section 1171), and health care providers (as defined in such section 1171) who transmit health information in electronic form, to notify patients if their individually identifiable health information (as defined in such section 1171) is wrongfully disclosed.

SEC. 6. STUDY OF REIMBURSEMENT INCENTIVES.

The Secretary of Health and Human Services shall carry out, or contract with a private entity to carry out, a study that examines methods to create efficient reimbursement incentives for improving health care quality in Federally qualified health centers, rural health clinics, and free clinics.

SEC. 7. HEALTH INFORMATION TECHNOLOGY RESOURCE CENTER.

Section 914 of the Public Health Service Act (42 U.S.C. 299b–3) is amended by adding at the end the following:

''(d) HEALTH INFORMATION TECHNOLOGY RESOURCE CENTER.—

''(1) IN GENERAL.—The Secretary, acting through the Director, shall develop a Health Information Technology Resource Center to provide technical assistance and develop best practices to support and accelerate efforts to adopt, implement, and effectively use interoperable health information technology in compliance with section 2903 and 2908.

''(2) PURPOSES.—The purpose of the Center is to—

''(A) provide a forum for the exchange of knowledge and experience;

''(B) accelerate the transfer of lessons learned from existing public and private sector initiatives, including those currently receiving Federal financial support;

''(C) assemble, analyze, and widely disseminate evidence and experience related to the adoption, implementation, and effective use of interoperable health information technology.

''(D) provide for the establishment of regional and local health information networks to facilitate the development of interoperability across health care settings and improve the quality of health care;

''(E) provide for the development of solutions to barriers to the exchange of electronic health information; and

''(F) conduct other activities identified by the States, local or regional health information networks, or health care stakeholders as a focus for developing and sharing best practices.

''(3) SUPPORT FOR ACTIVITIES.—To provide support for the activities of the Center, the Director shall modify the requirements, if necessary, that apply to the National Resource Center for Health Information Technology to provide the necessary infrastructure to support the duties and activities of the Center and facilitate information exchange across the public and private sectors.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require the duplication of Federal efforts with respect to the establishment of the Center, regardless of whether such efforts were carried out prior to or after the enactment of this subsection.

''(e) TECHNICAL ASSISTANCE TELEPHONE NUMBER OR WEBSITE.—The Secretary shall establish a toll-free telephone number or Internet website to provide health care providers and patients with a single point of contact to—

''(1) learn about Federal grants and technical assistance services related to interoperable health information technology;

''(2) learn about qualified health information technology and the quality measures adopted by the Federal Government under sections 2903 and 2908;

''(3) learn about regional and local health information networks for assistance with health information technology; and

''(4) disseminate additional information determined by the Secretary.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, such sums as may be necessary for each of fiscal years 2007 and 2008 to carry out this subsection.''.

SEC. 8. REAUTHORIZATION OF INCENTIVE GRANTS REGARDING TELEMEDICINE.

Section 330L(b) of the Public Health Service Act (42 U.S.C. 254c–18(b)) is amended by striking ''2002 through 2006'' and inserting ''2007 through 2011''.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

Ms. MATSUI. 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.

RECESS

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

Accordingly (at 11 o'clock and 25 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1202

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 12 o'clock and 2 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 4157, HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 952, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

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 223, nays 193, not voting 16, as follows:

[Roll No. 412]

YEAS—223

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
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
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
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—193

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

NOT VOTING—16

Crowley
Cubin
Davis, Jo Ann
Deal (GA)
Emanuel
Evans
Fattah
Fossella
Istook
Lewis (GA)
Manzullo
McHenry
McKinney
Nussle
Pelosi
Wexler

□ 1228

Messrs. TAYLOR of Mississippi, DAVIS of Tennessee, CHANDLER and CLEAVER changed their vote from ''yea'' to ''nay.''

Mr. MCCAUL of Texas changed his vote from ''nay'' to yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. BOEHNER was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. BOEHNER. Mr. Speaker, I know a lot of Members are interested in what the schedule is. I think all of you know that today we will move to consider the conference report on the Carl Perkins vocational education program. We will then move to the health IT bill. We expect that that will take us to late afternoon/early evening.

The reason I stood up is that it is pretty clear that we are in fact going to have votes tomorrow. There are a number of Members, though, from New York who want to go to former Representative Tom Manton's funeral. We will work with those Members to carve out a window so that those Members who want to go to New York can come back.

But we will have votes tomorrow. I wish I could tell you what those votes would be, but I expect we are going to have votes tomorrow.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will resume.

There was no objection.

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

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

RECORDED VOTE

Ms. MATSUI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 224, noes 188, not voting 20, as follows:

[Roll No. 413]

AYES—224

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
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cuellar
Culberson
Davis (KY)
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
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—188

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
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Farr
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
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
Woolsey
Wu
Wynn

NOT VOTING—20

Burton (IN)
Cardoza
Crowley
Cubin
Davis (TN)
Davis, Jo Ann
Deal (GA)
Emanuel
Evans
Fattah
Fossella
Green, Gene
Istook
Lewis (GA)
Manzullo
McKinney
Napolitano
Pelosi
Strickland
Wexler

□ 1238

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.

CONFERENCE REPORT ON S. 250, CARL D. PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 2006

Mr. MCKEON. Mr. Speaker, pursuant to House Resolution 946, I call up the conference report to accompany the Senate bill (S. 250) to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to House Resolution 946, the conference report is considered read.

(For conference report and statement, see proceedings of the House of July 25, 2006, at page H5773.)

The SPEAKER pro tempore. The gentleman from California (Mr. MCKEON) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. MCKEON).

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the conference report to accompany S. 250.

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

There was no objection.

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

Mr. Speaker, I rise in support of this conference report and ask my colleagues to join me in doing the same.

The Carl D. Perkins Career and Technical Education Improvement Act will strengthen and improve career and technical education to help ensure academic success for students, whether they are pursuing postsecondary education or other venues.

Let me begin by recognizing Education Reform Subcommittee Chairman CASTLE and thanking him for his hard work and commitment to improving educational opportunities for students participating in career and technical education.

In January of 2005, he and our committee's former chairman, Majority Leader BOEHNER, introduced a bipartisan bill that was overwhelmingly backed by the House. I commend him for his leadership in crafting that reform legislation and for reaching across the aisle in the process. It is because of his work then that we are presenting such a strong conference report to the House today.

Mr. Speaker, I would also like to thank my committee's senior Democrat, Mr. GEORGE MILLER, for his work and to recognize and thank our additional House conferees, Mr. SOUDER, Mr. OSBORNE, Mrs. MUSGRAVE, Ms. WOOLSEY, and Mr. KIND. Their efforts over the past year have made this conference report a reality.

Career and technical education is fundamental to our efforts to improve academic achievement at all levels so our Nation remains competitive in the face of a rapidly changing global economy. Each year, millions of students enrich their secondary and postsecondary educational opportunities through participation in career and technical education.

Nearly all students, about 97 percent in fact, leave public high school having taken some career and technical education. Furthermore, nearly half of all high school students and one-third of college students are involved in career and technical programs as a major part of their studies.

In short, it is a priority for millions and this conference report honors our commitment to them. The conference report before us will help States better utilize Federal funds for secondary and postsecondary career education programs, increase accountability, and emphasize student achievement and strengthen opportunities for coordination between secondary and postsecondary career and technical education.

In 1998, reforms made to the Perkins Act were aimed at increasing the focus on both technical skills and rigorous academic knowledge and helped us move further away from the school-to-work model. Our goal in this Congress was to build on that success.

Our principles at the outset of this reauthorization effort were straightforward, and I am proud to say that more than a year later, they are unchanged. The pillars of this conference report are: we're maintaining a focus on rigorous student academic and technical achievement; we're protecting the role of States and local communities and asking for results in exchange for the money we are already spending at the Federal level; and we are seeking more opportunities for coordination between secondary and postsecondary career and technical education.

There are growing concerns across the country about the performance level of our high schools. The fundamental question remains, Are we preparing our young people to succeed in a globally competitive world? The legislation before us today helps us address that question, and speaks to the new realities of a changing economy and workplace.

Mr. Speaker, this conference report is a solid piece of reform legislation that is worthy of our support. I encourage my colleagues to join me in supporting it.

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

The SPEAKER pro tempore. Without objection, the gentlewoman from California (Ms. WOOLSEY) will control the time of the gentleman from California (Mr. GEORGE MILLER).

There was no objection.

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

Mr. Speaker, I rise also in support of this conference report. It has been more than a year since we passed H.R. 366, the Carl D. Perkins Career and Technical Education Act. I am certain people were actually starting to think that this day would never come. But here we are, and we are here in a bipartisan posture.

You see, Mr. Speaker, miracles can happen. Then-Chairman BOEHNER and now-Chairman MCKEON and Subcommittee Chairman CASTLE need to be thanked and honored for getting us this far. But most importantly to me, I want to thank the hard work of the committee ranking member, Congressman GEORGE MILLER.

Having voted for H.R. 366, which passed the House almost unanimously, I believe that today's conference report significantly improves the bill.

□ 1245

Particularly pleasing is that this bill not only has expanded math, science, and technical programs, it also has continued and strengthened the Perkins Act commitment to preparing women and men for occupations that are nontraditional to them, to ensuring access to career and technical education for special populations who face unique challenges, and to preparing those students for careers that will lead them to self-sufficiency.

In this competitive global economy, Mr. Speaker, we can't afford to waste the potential of any of our people, so these provisions will help to ensure that this does not happen.

When this bill was in committee, I offered an amendment to ensure that States had sufficient administrative funding to carry out their increased responsibility under the bill. My amendment was not included in the House bill, but it is in the conference report.

Finally, the conference report improves accountability for and integration of strong academic measures and programs for career and technical education. It is important, however, to note that although Congress has rejected the President's proposals to eliminate career and technical education, we must do more. We need to provide our schools with the resources they need to carry out these programs. That means we need to increase funding for the Perkins Act while keeping our promises to fully funding the No Child Left Behind Act, because when it comes to no child left behind, this President and this Congress has fallen $55 billion short.

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

The SPEAKER pro tempore. Without objection, the gentleman from Delaware (Mr. CASTLE) will control the time of the gentleman from California (Mr. MCKEON).

There was no objection.

Mr. CASTLE. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, it obviously gives me great pleasure to be here today and to rise in support of the conference report to the Carl D. Perkins Career and Technical Education Improvement Act of 2006. I want to thank the gentleman from California (Mr. MCKEON) for his leadership in getting us to this end point, and the majority leader who is no longer head of the committee (Mr. BOEHNER) for his work, the gentleman and gentlewoman from California both present here right now, Mr. MILLER and Ms. WOOLSEY, for their bipartisan spirit, and our colleagues in the other body. I am blessed to be on a couple of committees where there is bipartisan spirit at least some of the time, and we are able to get a few things done and this is one of them.

The Perkins Act aims to prepare youth and adults for the future by building their academic and technical skills in preparation for postsecondary education and/or employment. The bill we are considering today enhances Perkins by ensuring both secondary and post-secondary students participating in the program are acquiring rigorous academic and technical skills, and will have the opportunity to transition into further education and/or successful employment.

The Perkins Act governs widely supported programs of both the secondary and postsecondary level. For example, nearly all high school students complete at least one vocational education course, and approximately 26 percent of students are considered vocational concentrators, those students who focus on a single occupational area. In my home State of Delaware, we have five career and technical high schools that enroll a total of 5,500 of the 29,500 total high school students. At the postsecondary level, the Perkins Act supports a broad

array of options primarily at the community college level, including Delaware Technical & Community College.

In the 1999–2000 school year, over 50 percent of all students enrolled at the less than 4-year postsecondary level reported that they were majoring in vocational areas.

Today's conference report seeks to build upon reforms made in past reauthorizations, and seeks to enhance this popular program to ensure its success in years to come. The legislation before us today makes significant reforms to academic achievement and accountability to ensure students have the skills necessary to enter the workforce or continue to an institution of higher learning.

As I mentioned, there are five career and technical high schools in Delaware. While all these schools met adequately yearly progress under the No Child Left Behind Act, there is more to be done in academic achievement in these schools and schools across the country. Today, we will improve vocational and technical education by increasing the focus on academics in conjunction with the skill attainment that is incumbent of the program.

One of the unique attributes of vocational and technical education programs is their ability to show students a path that could end in a certificate, credential, employment, military, or postsecondary education. The Tech-Prep program within the Perkins Act is intended to focus on a well-defined link between high school and at least 2 years of postsecondary education. Research has shown, however, that funds are rarely, if ever, used to meet this goal. Rather, funds are often used for purposes within the larger vocational and technical education program. Therefore, the conference agreement revises requirements of the program in order to ensure articulation agreements between secondary and postsecondary institutions are, in fact, being implemented.

Along this same track, we include a new requirement for State development of career and technical programs of study for career and technical program areas. These sequences, of course, will incorporate a nonduplicative progression of both secondary and postsecondary elements which will include both academic and vocational and technical content. Local recipients at both the secondary and postsecondary level would adopt at least one model sequence of courses as developed by the State. I believe this will also help drive program improvements by ensuring that States clarify the progression of academic and vocational technical courses needed for the postsecondary education, training, or employment of a students choice.

It is clear that we are making some significant and positive changes for the schools and students impacted by this program. One of the biggest changes that I think we are making is for Congress to finally make the switch from vocational and technical education to career and technical education. In my opinion, this was an important statement for the Congress to make.

While the President has proposed another avenue for high school reform in the Perkins Act, I believe strongly that the reforms we consider today go a long way in driving program improvement and ultimate success for students across the country. The dialogue surrounding high school reform is important and is happening in earnest. I trust that the conference agreement will complement these efforts as a result of the changes in the bill. I believe it will help States, community colleges, and other postsecondary education institutions and local educational agencies to better meet the needs of students participating in career and technical education. I urge my colleagues to support this report so we may send this bill to the President for his signature.

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

Ms. WOOLSEY. Mr. Speaker, I yield as much time as he may consume to the gentleman from California, the ranking member of this committee (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank the gentlewoman for yielding and also thank her for all of her work on this legislation, along with Chairman BOEHNER and Chairman MCKEON and Chairman Castle. And, of course, with the diligent work of our staffs on both sides of the aisle, I think we have crafted a measure that maintains the integrity of the program while responding to the changes in the career and the technical education programs across the country.

While the President has chosen to put forward a proposal to dismantle this critical program, we saw an opportunity to make high school matter for many young people, offer college students pathways into productive employment, and new hope for displaced homemakers and workers reentering the workforce.

The conference report before us signals that we will not retreat on our investment in career education and training. The global economy demands a high skilled workforce, and the Perkins Act, has been instrumental in building today's workforce and the workforce of the future.

Today, these programs are changing in the face of secondary and postsecondary education, and they equip America's workforce with the skills they need to compete in a global economy. More important, career tech programs acknowledge that we must be preparing students and adults for high wage, high skill jobs that exist in this new economy. To do this, however, we need a system that is challenging and academically sound and a system expands the secondary and postsecondary programs, offering students a pathway toward those kinds of careers.

I am pleased that the conference agreement mirrors the recommendations we have heard, that we must pay more attention to math and science and technology to increase our competitiveness. We also know that this is what the high paying jobs require, with these advanced skills.

The conference agreement continues the Tech-Prep program. Tech-Prep has been a model of career and technical education with demonstrated outcomes. In California, students, teachers, and administrators benefit from the connections made between secondary and postsecondary programs, and career and technical programs. Successful Tech-Prep programs offer a challenging and rigorous coursework at the high school level that is coordinated with postsecondary career technical programs. And Tech-Prep students obtain better paying jobs because they have the academic and technical credentials that businesses want for their workforce.

We made important strides in the area of professional development. This conference agreement strengthens the instructional connection between academic and career technical programs. We heard from numerous teachers that successful career tech programs allow academic and vocational teachers to develop curriculums together to teach together so that students can apply the academic content to the real world context.

This conference agreement contains new measures of accountability for career and technical education systems. I do not doubt that some programs may have difficulties in meeting this new system. However, there have been too many programs that have chosen the status quo, to the detriment of our workforce competitiveness. Successful career and technical education programs produce students that outperform their counterparts and make higher wages. We must demand that all programs work toward this same goal. The accountability systems move us in that direction.

I want to point out two other areas where the conference agreement improves upon the House passed bill: Graduation and career plans. Under the agreement, local programs may use Perkins funds to create graduation and career plans for students. These plans can be tools for students and parents to help focus the student on the student's future goals, making sure that the actions that we take will lead to the outcome they desire. And, also, the special populations and nontraditional careers.

The conference agreement also strengthens the provisions, and the gentlewoman from California has been a hawk on these issues for her entire career on this committee, and that is to improve the opportunities for women and men to gain access to nontraditional careers, and ensures that displaced homemakers and individuals with disabilities have access to career and technical education. In this global

economy, we can't afford to waste the potential of any of our people, and these provisions will help ensure that that doesn't happen.

Mr. Chairman, the Perkins Act is a critical workforce development tool, and the bill before us represents a sound career and technical education policy.

I want to thank our staff again for their efforts in bringing this conference agreement together, and I look forward to a quick passage of this conference report. And I also want to comment that this continues a long tradition in this committee where we have been able to work on a bipartisan basis on the most critical education issues confronting this country, both in the development of high performing students and professional individuals and high performing career opportunities for those individuals, and I want to thank all of my colleagues for their efforts on this legislation and urge a passage of this conference report.

Mr. CASTLE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. REGULA), who is the chairman of the appropriations subcommittee that handles education funding and is probably as interested in education as anyone in this building.

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

Mr. REGULA. Mr. Speaker, I just want to congratulate the Members, my colleagues, and the staff for doing a terrific job. I am very much aware of this topic. We have a technical school in my district (Stark State College) of approximately 8,000 students with a placement rate of about 96 percent, and they are working with the high schools; they are doing what you are envisioning in this conference report.

To me, this is one of the most important pieces of legislation that will come out of this session, because education is the future and this legislation gives an opportunity and expands the horizons of many students that otherwise would not get that chance. I do have to say that one of the most grievous things to me is the dropout rate in this country. An average of thirty-two percent of our students nationwide do not finish high school. Part of it is because they are bored, part of it is because they don't learn to read, part of it is a whole lot of different things. They are attracted to get out early and get some kind of a job and buy a car or whatever.

This legislation will help to reduce the dropout rate. If the schools across this country will work out the programs that are envisioned in this report, I think our schools will make giant strides in reducing dropouts, because it will allow students at the high school to get a vision of what can be achieved, what they can do in technical education and what they can do in employment opportunities and what a better future they can have. This should be billed as a hope bill, it is a future bill.

Again, I congratulate my colleagues and the staff for constructing a terrific piece of legislation, certainly it will mean a lot to the future of this Nation. If you read Tom Friedman's book ''The World is Flat,'' you realize how important it is as a Nation that we give educational opportunity to everybody that we utilize the resources of all our people.

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

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER), another member of the committee who is always fighting for children in a whole variety of ways, be it dealing with drugs and those things, or education itself.

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

□ 1300

Mr. SOUDER. Mr. Speaker, I want to thank Chairman MCKEON for his leadership and Mr. MILLER for his leadership in working in a bipartisan effort with this.

But I want to say, first off, that it affirms what career and technical educational programs in my district are already doing. They are ensuring that all current technical education programs include rigorous and challenging academic courses; offer career and technical programs of study known as career majors; offer dual enrollment in secondary and postsecondary courses; and permit private and home school students to participate in career and technical education programs. Additionally, I am pleased that the bill allows for increased funding flexibility at the State level, as well as the promotion of State incentive grants to programs with exemplary performance.

It is a little unusual in the sense I represent a district that still makes things. In my congressional district, we have the highest percent manufacturing left in America as far as what people do. Other people can go on vacation in other places. They can get a service job in other places, run credit card companies in other places; but we still make things.

Vocational education, if it is going to compete, I remember years ago, because I am old now, in the 1960s, my father at our small retail store always took students who they were afraid were going to drop out and started trying to teach them different crafts and trades and get them into the workforce.

I know that when I was a student reporter in college and did some stories on local high schools even out in the ag communities, Woodland High School had a big area where they had a combine and other things so kids could get experience working in farming.

But we are at a whole other technical level. Even at my rural high schools in Angola, Indiana, a small high school, they have worked with TriState College to hook up an ethernet-type of Internet connection so they can take courses after school, to get courses after school to work with the plastics industry, the largest employer in my district, so kids can go out and learn technical skills.

If they are going to compete with China, if they are going to compete with India, if they are going to compete worldwide, they are not going to have the old things where my grandpa did it this way and my great-grandpa did it this way, and I am going to have pensions and health care forever. It is going to be a lot more competitive. It is going to take constant cross-training for advanced skills, for basic entry skills, and basic entry things in these manufacturing companies in my district.

If they cannot figure out how to work a computer, if they cannot figure out how to multitask, if they cannot figure out how to be flexible when a contract changes just like that, that company is gone. It is not anymore just to Mexico. It is to China.

So vocational education plays such a critical role at the college level, just like continuing education does, and this bill gives us more flexibility to work in this program, to adjust to the new technologies we are seeing, the online, the constant education, the interrelationship between industry and our universities and high schools.

The one thing I would strongly urge, and I continue to urge, the NFIB; the NAM, the National Association of Manufacturing; the U.S. Chamber, that the retailers engage in their local schools. They always come to me and everybody comes and says we are worried about our workforce, we are worried that we cannot get the quality. Well, engage the schools, hire these kids, train these kids, take advantage of these programs, because that is the only way we are going to keep jobs in America.

Mr. Speaker, I rise today in strong support of S. 250, the Carl D. Perkins Career and Technical Education Improvement Act of 2006. I'd also like to thank the Chairman of the Education and the Workforce Committee, Mr. MCKEON, for his hard work on this legislation. S. 250 will help strengthen and improve career and technical education programs across the country by helping states better utilize federal funding, increasing accountability, emphasizing student academic and technical achievement, and improving coordination between secondary and postsecondary career and technical education.

In today's world, career and technical education is an important component of most any student's education as it helps prepare high school students for either a transition to the workforce or a postsecondary degree. The programs help students begin thinking about different careers of interest, provide opportunities for exploring those career options, and start students down a path toward accomplishing their career goals. Moreover, the program helps students see a connection between the academic subjects in the classroom and the application of that knowledge in the

working world. For many students, this connection is critical to their decision to stay in high school and graduate with a diploma.

I am pleased today to support the conference report on S. 250 and urge my colleagues to vote in favor of its passage. While I would have liked to have seen additional reforms—particularly in the areas of private school and home school participation—this bill represents significant bipartisan agreement in how to strengthen the Perkins program.

It affirms in many ways what career and technical education programs in my district are already doing: ensuring that all career and technical education programs include rigorous and challenging academic courses; offering career and technical programs of study—known as career majors; offering dual enrollment in secondary and postsecondary courses; and permitting private and home school students to participate in career and technical education programs. Additionally, I am pleased that the bill allows for increased funding flexibility at the state level as well as the promotion of state incentive grants to programs with exemplary performance,

Career and technical education is an important part of America's K–12 education system, and I would urge my colleagues to vote in favor of S. 250 today. This legislation will help improve both our education system and our nation's ever-changing economy as students are more prepared to enter either the workforce or some form of post-secondary education following their graduation from a local career and technical education program.

My congressional district has the highest percent manufacturing in America. But even manufacturing is changing. In order to compete with China, India and other worldwide nations the same old approach will not work. We need flexible and creative education programs to complete the needs.

Mr. CASTLE. Mr. Speaker, I thank the gentleman. I yield 3 minutes to the gentleman from Nebraska (Mr. OSBORNE), another individual who has probably done as much for young people as anybody in this country and in his lifetime in a variety of capacities.

Mr. OSBORNE. Mr. Speaker, I would like to thank Subcommittee Chairman CASTLE and Mr. MILLER and Ms. WOOLSEY and Chairman MCKEON for their work on this bill and rise in support of it.

I am especially pleased that Congress has shown such strong support for the Perkins program in view of the fact that it has been zeroed out on successive years by the administration, and it seems that people in this body understand the importance of a vocational technical education, particularly important in my State of Nebraska which is largely rural. In rural America, if you do not have vocational technical education you have real problems. So this has been critical.

Also, we currently lack the skilled workforce in our country to maintain our economy; and a big key to this, of course, is vocational training.

This bill improves vocational technical education in several key areas. As has been mentioned, it requires greater academic rigor, especially in math and science. I think a few years ago I read someplace where the United States ranked 19th out of 21 nations in advanced math and science. This is an area we cannot afford to continue to fall behind in. So this academic rigor will certainly help.

As has been mentioned, it requires greater coordination between high school and postsecondary courses in vocational and technical education. So often in high school someone will take a vocational course and then go to community college; it would be the same course or there would be no coordination between the two. This allows for a smooth transition from high school into community colleges and 4-year colleges in the vocational technical area which we think is important.

Greater accountability is critical, and a new use we were able to put in this bill which is something I was really in favor of was an allowable use as entrepreneurial education as part of the Perkins grants.

So in the areas that I focus on right now in rural America, we are losing our young people at a rapid rate. If you teach them entrepreneurial skills, how to write a grant, how to write a business plan, how to market, particularly how to market using the Internet, and you give them those skills, sometimes they can find a way to stay in a small town and make a living. So we think that entrepreneurial skills are going to be critical as a part of this program.

As has already been mentioned, the flexibility is critical at the State and local levels because what constitutes vocational education in one State or one region may not be similar to what another region needs, and that flexibility is critical.

So, again, I just want to express strong support. I think it is a very good bill, very good conference report and want to thank Mr. CASTLE and all those involved again, and the staff particularly.

Ms. WOOLSEY. In closing, Mr. Speaker, I would like to remind everybody that more than 11,000 high schools and regional technical centers and 2,600 postsecondary schools provide career and technical programs to high school students and adults who are returning to the workforce or wishing to learn new skills. That supports our goal that all students should have access to career and technical programs that give them a strong academic foundation and technical proficiency. This provides opportunity for jobs that pay a livable wage. It prevents dropouts, and it gives a path into college-level education should an individual choose.

This legislation today renews our commitment to prepare our workforce for the global economy. It solidly rejects the President's proposal to eliminate the program.

So, finally, it was wonderful to hear Mr. REGULA, his words in support of vocational education, because he is the ranking member of the subcommittee on appropriations that we go to to fund these programs, because we know that none of this works, none of it works, Mr. Speaker, unless we provide the needed funding.

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

Mr. CASTLE. Mr. Speaker, I yield myself such time as I may consume in closing.

Mr. Speaker, the conference report before us is a good one and one worthy of very strong support here. Passage of it will demonstrate our commitment to the millions of students who count on the career and technical education programs we are aiming to strengthen.

Career and technical education is a fundamental part of our efforts to improve academic achievement at all levels so our Nation remains competitive in the 21st century global economy. And this conference report sharpens the Perkins program's focus on both rigorous academics and technical achievement. It protects and enhances local control at a State and community level. And it seeks more opportunities for coordination between secondary and postsecondary career and technical education.

This conference report would not be possible if not for some key staff members at the Education and the Workforce Committee: Whitney Rhoades, Stephanie Milburn, Lucy House, Rich Stombres, and Susan Ross on the committee staff, and Denise Forte and Lloyd Horwich from the minority staff have worked tirelessly to get to this point where we are today. I would like to thank Sara Rittling of my staff who has worked on this as well.

For those not familiar with the process around here, without that staff, I am sure Ms. WOOLSEY and I would probably agree, we would probably never get a bill like this written. Their work is exemplary in this particular case. And I would just like to thank them for their determination and expertise.

Again, I thank my colleagues on the committee on both sides of the aisle for their efforts on this conference report, and I do urge its final passage.

Mr. KIND. Mr. Speaker, I rise today in support of the Reauthorization of the Carl D. Perkins Career and Technical Education Improvement Act. As a member of the Education and the Workforce Committee and having served on the Conference Committee, I am pleased we have reached an agreement to ensure the continuation of this important program.

Research shows that secondary students who participate in career and technical education achieve better employment and earnings outcomes than other students. Further, these students are more likely to pursue postsecondary education, have a higher grade point average in college, and are less likely to drop out in the first year of college.

Recognizing the positive contributions of career and technical education, I support swift passage of this bill. This legislation is the product of considerable and effective bipartisan negotiations.

While I intend to continue working with my colleagues on the Senate side to improve the particular funding levels for Wisconsin through

the appropriations process, I am satisfied with the overall bill. A lot of time and work by committee members and staff have been put into drafting the best bill possible that everyone can support.

Specifically, I am glad that S. 250 retains a separate authorization for the Tech Prep program. The House-passed bill eliminated this separate funding and during committee consideration of the bill, Representative TIERNEY and I offered an amendment to restore Tech Prep as a separate authorization.

Tech Prep creates seamless pathways for secondary students to transition into post-secondary education programs in the high-skill, high-wage technical fields. These academically and technically prepared graduates are critical to the economic growth, productivity and internal competitiveness of the United States. Knowing how critical this funding is to our local communities, I am pleased funding for the Tech Prep program has been kept separate from the Perkins block grant.

In addition to protecting Tech Prep, the conference report increases the role of math, science and technology in career and technical education programs and encourages the expanded use of technology by teachers and faculty. Increasing the emphasis given to science, technology, and mathematics is critical for the United States to retain its global competitiveness. We cannot afford to ignore growing competition from other countries by directing our resources away from these fields of study.

Again, I would like to thank all those in the education community who participated in reauthorization for their input and work on this bill. I am particularly pleased to acknowledge Dr. Bill Ihlenfeldt, President of the Chippewa Valley Technical College in Eau Claire, WI, who testified before the Education and the Workforce Committee in May of 2004. His thoughts and perspective on reauthorization of the Carl D. Perkins Career and Technical Education Improvement Act were invaluable in addressing the needs of our country. His insight was especially helpful in considering issues of importance for the 53,000 students attending technical schools in my district—Western Technical College, Chippewa Valley Technical College, and Southwest Tech—as well as the countless career and technical secondary students in the Third Congressional District of western Wisconsin. I urge my colleagues to vote yes.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

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

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 4157.

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

There was no objection.

HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 952 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. 4157.

□ 1311

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. 4157) to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology, with Mr. SIMPSON 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.

General debate shall not exceed 1 hour, with 35 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, and 25 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

The gentleman from Texas (Mr. BARTON) and the gentleman from New Jersey (Mr. PALLONE) each will control 17½ minutes, and the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from California (Mr. STARK) each will control 12½ minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased that the House today is going to consider H.R. 4157, the Health Information Technology Promotion Act of 2006. This legislation should help move our health care system into the modern era and the modern information age.

We all remember a time when e-mail was a dream and getting the legislative text from the House of Representatives Web site was impossible because it simply did not exist. As information systems have moved into the digital age, Congress and most of the private sector have embraced it. We have found that we could get information much more efficiently and quickly at much less cost.

The health care system, for whatever reason, has not done that. For all of its medical genius and astonishing technology in terms of surgery and orthopedics and diagnosis, American health care is still stuck back in the 19th century, with a paper record system that is inefficient, wasteful, error-prone and occasionally dangerous. The legislation before us today should change that.

With H.R. 4157, records that have been stuffed in a file cabinet and illegible prescriptions that nobody can read scrawled on pieces of paper will finally give way to digital medical records, electronic prescribing, and efficient coordination of care. Sick patients will get better and everybody should save money.

The bill before us sets out a framework for endorsing core interoperability guidelines and mandates compliance for a Federal information system within 3 years of endorsement of such guidelines. Of vital importance are provisions contained in the legislation that create safe harbors to the Stark and Anti-kickback laws for the provision of health information technology and services to better coordinate care between hospitals and providers. These changes are long overdue.

Hospitals and other health care entities that have invested in systems that are tested and work well should be able to share their experience and purchasing power with physicians. Current laws have prevented these reasonable steps to better coordinate patient care by not allowing the sharing of health information technology systems.

Also, I would like to express support for the Secretary of Health and Human Services to look at the list of entities that we make eligible for this safe harbor and to expand upon it, specifically, to include independent clinical laboratories which carry a great deal of health data that should be shared electronically.

□ 1315

These safe harbors will allow for economical sharing of health information technology to better coordinate care, reduce medical error, and improve patient outcomes.

Medical science in recent years has produced tremendous discoveries that have revolutionized how we treat disease and care for patients. Unfortunately, the medical record information technologies needed to take advantage of these discoveries remain locked in an era of paper and filing cabinets. We can do better, and the legislation before us today will do better.

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

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

Our Nation's health care system is arguably the most inefficient and costly system in the industrialized world. We spend approximately $1.7 billion annually on health care, and yet many of our citizens are in poorer health than the citizens of countries that spend far less. That is because our Nation's health care system is wrought with

problems, including skyrocketing costs that make it difficult for Americans to afford the care that they need, inconsistent quality, and huge disparities in care and access. Clearly, the status quo is not working and something has to be done to fix these problems. Health care experts around the country agree that health information technology, or HIT, could provide a partial solution to our problems.

Now, while estimates vary, the potential savings from HIT could reach between $81 billion and $170 billion annually by improving coordination of care, patient safety, disease management, and prevention efforts. Under the Republican bill we are debating today, however, none of these savings will be realized. That is because the bill will do nothing to move our Nation forward on health information technology.

The CBO agrees with the Democrats, and I quote, ''CBO estimates that enacting H.R. 4157 would not significantly affect either the rate at which the use of health technology will grow or how well that technology will be designed and implemented.'' So I don't want anybody to be fooled here today. Don't let the Republicans sell you this lemon.

My friends on the other side of the aisle would have us believe that this bill is going to transform our health care system into a model of efficiency, and it is all a bunch of hype. Let me mention a few ways in which this bill is flawed.

First of all, there is virtually no funding, and I stress that, virtually no funding to help providers, such as physicians or hospitals, to purchase this technology. The meager amount of funding authorized in this bill will barely make a dent in advancing the use of HIT. Instead of making grants or loans available to doctors to help them purchase equipment or train employees, Republicans have decided to roll back anti-kickback and self-referral protections so that doctors will have to rely on other types of providers for this technology. Make no mistake about it, this is going to open the door for fraud and abuse to run rampant and will eventually add to our health care costs.

Secondly, this bill does nothing to improve protections for medical privacy. Electronic health information systems that make it easier to exchange medical information require new privacy protections to be implemented and strongly enforced. In spite of the privacy breaches we saw this year at the Veterans Administration, and also at CMS, Republicans don't seem to think there is a need to strengthen our Nation's privacy laws. But I have to tell you, Americans are not going to stand for this. They are not going to want their most personal information floating around cyberspace without any reasonable safeguards.

There are a number of other problems with this bill, Mr. Chairman, but let me finally talk about the process in which this bill was developed. House Republicans have taken an opportunity for all of us to work together on an important issue and they have squandered it. The Senate was able to pass a bipartisan bill that would accomplish a lot more than the bill we are debating today. They authorize grants and loans, they don't roll back fraud and abuse protections, and they ensure interoperability. But they did this all on a bipartisan basis in the Senate.

Democrats in the House tried to offer that bill as a substitute in the Rules Committee yesterday, but we were denied the substitute. And it is a shame that House Republicans couldn't follow the Senate's lead and work with Democrats to move our Nation forward on HIT and improve the health of all Americans.

I urge my colleagues to vote ''no'' on this bill, because although we think that health information technology is very important, this bill will not accomplish the goal.

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

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. BARTON of Texas. Mr. Chairman, how is time going to be rotated? Do we do all the Energy and Commerce time and then the Ways and Means time; or do we rotate in sequence?

The CHAIRMAN. The Chair would accommodate the wishes of the managers.

Mr. BARTON of Texas. Okay. Congresswoman JOHNSON says the Energy and Commerce Committee goes first.

Mr. PALLONE. I think, Mr. Chairman, we were told in advance that we would do Energy and Commerce first, so that is the way we would prefer to proceed.

Mr. BARTON of Texas. Okay. That is what Congresswoman JOHNSON also says. I was not informed of that.

Mr. Chairman, I yield 3 minutes to a distinguished physician member of the Committee on Energy and Commerce, Dr. MURPHY of Pennsylvania.

Mr. MURPHY. I thank the chairman and the Members for an opportunity to talk about this vitally important bill.

Years ago, when I was working at Children's Hospital in Pittsburgh, I happened to be walking by the emergency room when a resident called me urgently in on a case that was there. It was a child who was having out-of-control behavior, rapid heart rate, rapid breathing, and she merely commented that this child's behavior was out of control. That could have been a symptom of anything. Was the child having a seizure? Was the child poisoned? Was the child having a drug problem, a neurological crisis, a heart problem, or a whole host of issues?

As it was, I happened to recognize the child as a patient of mine and we quickly came to the conclusion that one of the aspects may be a medication overdose, or a bad medication reaction. The parents had not yet arrived and we had not yet accessed his medical records. Why? Because the medical records were in a file somewhere back in my office in another section of the hospital and were ones that the emergency room staff could not acquire.

Think of this, too. If one of us, any of us, any American is traveling in a town somewhere in America and a medical crisis hits them, for someone who is diabetic or perhaps has heart disease or some other problems, where do we get the records to determine what to do? It is for this reason that we recognize about $162 billion a year is lost in health care, according to the RAND Corporation, and you include all the other paperwork and problems that come with hospital care, perhaps $290 plus billion is spent on that. Why? Because of medical records.

The current medical records system is this: Room after room after room in a hospital filled with paper files. What happens if we move to electronic medical records where it is, instead of here, it is in a computer? This is what that room looks like. It is now in a computer, accessible to physicians in a hospital, with pass codes and access codes that keep it secure, because HIPAA laws say it must be secure; that people can't have that, and then it becomes records that look more like this.

Again, a doctor with clear authorization ahead of time could find a patient's name, see their status, see what is going on, and move towards that and pull these records out. Otherwise, you end up in a situation of medical crisis. Patients can carry this information in a credit card or on a zip drive they can carry on their key chain. All this is critically important because it saves lives and saves money.

The best doctors and the best hospitals in America, if they cannot get the patient information they need when they need it, it can lead to morbid consequences: Higher mortality. And that is what ultimately this bill is about. This is a huge step forward because we have to have standards and other things moving forward. Hospitals all across America are moving towards some level of electronic medical records. But if we don't find ways of making them able to talk to each other, with uniform standards, interoperability, et cetera, we are essentially creating a medical Tower of Babel. We have more information, but they can't talk to each other.

At that moment of crisis in a health care center, whatever that is, whether you are at home or far away, no matter how good your doctor and hospital is, you want them to have that information. Patients can preauthorize that information. They can carry that with them. But this is the new technology, and if we don't do this, we will see many lives lost, and that is something we cannot afford to do. That is why I urge the passage of this bill.

Mr. PALLONE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, we should not pass H.R. 4157 without including essential privacy protections for the health information of American consumers. Privacy protection should go hand-in-hand with efforts to promote health information technology, yet the Republican leadership refused to include appropriate privacy protections or allow consideration of privacy amendments.

Our health care system will not be effective if privacy fears deter Americans from seeking appropriate treatment. Unfortunately, survey after survey demonstrates that American consumers lack confidence that the privacy of their personal health information will be protected.

Just last year, the California Health Care Foundation found that nearly two-thirds of Americans polled were concerned about the privacy of their health information, and one out of eight had taken steps that could have put their health at risk simply because of privacy concerns. Moving health records into electronic form is only likely to increase their fears unless we act to ensure appropriate privacy protections are in place.

Recent incidents involving security threats to medical information have underscored the vulnerability of electronically maintained data. In June, we learned that Medicare data on 17,000 beneficiaries enrolled in a Medicare prescription drug plan had been put at risk due to inappropriate security protections on a computer file. And then the Department of Veterans Affairs' computer that was stolen several months ago contained sensitive information that included disability ratings for some veterans and notes about some veterans' health conditions.

In fact, according to the Privacy Rights Clearinghouse, nearly 90 million electronic data records of U.S. residents have been compromised because of security breaches in just the past year and a half.

This administration's lax approach to enforcing existing medical privacy requirements has raised additional concerns. A recent Washington Post article reported that the administration has not imposed a single civil fine under the Federal medical privacy rule despite nearly 20,000 complaints of violations over the 3 years the rule has been in effect.

It is irresponsible for Congress to promote the development and use of health information technology without ensuring that necessary privacy and security for health information are in place.

I thank the gentleman from New Jersey for yielding to me so I could point out these specific concerns that I have with this legislation, and I wish we could address them.

Mr. BARTON of Texas. Mr. Chairman, I yield myself 30 seconds before I yield to Mr. CASTLE.

Under the current law, called HIPAA, we have very strict privacy protection guidelines. Those guidelines are currently under review. There have been over 50,000 comments filed with HHS for some proposed changes in those. Nothing in the Senate bill, that is a companion bill to this bill, deals with privacy.

Privacy is an important issue, but more important is that we get a health information system technology in place, and that is what this bill does.

Mr. Chairman, I yield 2 minutes to the former Governor of the First State, the great State of Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I would like to thank Chairman BARTON for yielding, but I also want to thank him for his great work on this important legislation, H.R. 4157, which I support; and also the gentlewoman from Connecticut (Mrs. JOHNSON) has worked on this for some time, and will be speaking shortly.

With recent reports estimating that medical errors may be responsible for up to 98,000 deaths and 1.5 million medication errors each year, there is no doubt in my mind that the time has come to move towards an electronic health records system.

I am pleased this legislation officially establishes the Office of the National Coordinator for Health Information Technology, because it is absolutely vital that the Federal Government take the leading role in establishing such a system. Without a strategic Federal plan, I worry that each State will be left to their own devices and we will end up with a patchwork system. I am hopeful that the standards which are set will be easily adaptable for the States and regions that are already working on such connectivity.

In my State of Delaware, we have established the Delaware Health Information Network. It has secured a $4 million contract with the Agency for Health Care Research and Quality to establish an e-health system in our hospitals, physicians' offices, and laboratories. Eventually, we hope this will be extended to our nursing homes and community health centers as well.

Because Delaware is such a small State, it is quite possible that our network can spread across the Mid-Atlantic region to include New Jersey, Pennsylvania, and Maryland, and that is why we have been working so hard to get it right and to make sure interoperability truly exists.

A national health electronic infrastructure could truly be lifesaving for the millions of patients who access our health care system every day, as we have seen in our VA hospitals. There is real opportunity here to have electronic patient records, with appropriate private protections, electronic prescribing, real-time understanding of prescription interactions, and improved outcomes.

I am hopeful this bill will be swiftly conferenced with the Senate version so every State may get involved. Real achievement only comes when we improve health care, reduce costs, and start saving lives.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in opposition to the Health Information Technology Promotion Act. Health IT, as we call it, has the potential to revolutionize our health care system by improving health outcomes through increased efficiency and accuracy. Despite the bill's title, however, this legislation would do little to actually promote the adoption of health IT among the providers who would most benefit from it.

Most importantly, the bill fails to include adequate funding to help providers invest in this promising technology. The $30 million in grant funding is only a drop in the bucket, so to speak, and will be stretched thin among the many providers who need financial assistance with health IT adoption.

□ 1330

Unfortunately, the Rules Committee failed to make in order either the Dingell/Rangel substitute or my amendment, which would have gone a long way to facilitating widespread health IT adoption. Specific to my amendment, which I submitted with my colleagues on our committee, Mr. GONZALEZ and Mr. RUSH, would authorize a Medicare add-on payment, a competitive grant and a State loan program to help providers invest in this technology.

If health IT is a priority of the Federal Government, then we need to put our money where our mouth is.

The bill is also sorely lacking in privacy protections. If patients are going to buy in to the benefits of health IT, we must ensure that personal health information is as secure as possible.

We already know from nationwide surveys that two-thirds of Americans are concerned about security of their personal health information.

The very nature of health IT is at risk of privacy breach; therefore, the proliferation of health IT must be accompanied by increased privacy protections.

Unfortunately the Rules Committee failed to allow the Markey/Capps amendment to be considered. That important amendment would have required patient consent before their health records were shared, as well as patient notification in the event of a privacy breach. This commonsense amendment would have closed a glaring loophole that we currently have in HIPAA.

In doing so, it would have given patients the privacy assurance they need to share important health information and to maximize the benefits of health IT to their personal health.

It is not often I advocate that the House should follow the Senate's lead, however, we should have better served our constituents if we take up the Senate bill.

Passed unanimously by the Senate, that bipartisan health IT bill will provide the necessary resources and pave the way for Americans to benefit from the promised health IT.

I encourage my colleagues to vote against this bill.

Mr. BARTON of Texas. Mr. Chairman, I yield 2 minutes to another distinguished member of the Energy and Commerce Committee, who is also a medical physician, Dr. BURGESS of Texas.

Mr. BURGESS. Mr. Chairman, thank you for bringing this important bill to the floor.

The bill, 4157, will codify and expand the authorities and duties of the office of the National Coordinator for Health Information Technology, Department of Health and Human Services. This includes a number of responsibilities, such as endorsing the interoperability guidelines under a schedule, conducting a national survey on the information exchange capabilities of certain entities, and reviewing Federal information systems and security practices.

The bill requires that certain Federal health information collection systems be capable of receiving information in a form consistent with any guidelines endorsed by the National Coordinator, within 3 years of endorsement.

We have heard some discussion about the issues of grants. Currently there are grants through both CMS and my own Texas medical foundation back in Texas. But indeed, this bill authorizes targeted grants to help integrated health systems relay information and better coordinate the delivery of care for uninsured, under insured and medically underserved populations.

The bill also contains a demonstration program to promote the adoption of health IT in the small physician setting, absolutely critical in many of our rural markets.

My colleague, Dr. MURPHY, was up here a moment ago and showed a picture of a medical record, an old paper medical records system in a hospital. I actually want to tell you that that is pretty far from the truth. Normally you go in medical records department, it is nowhere near that clean. There are records stacked on the floor. They are stacked by dictation machines. Oftentimes a critical record is hard to find.

But contrast that with what I saw in New Orleans, Louisiana when we had a hearing down there earlier this year. The records room of Charity Hospital is absolute chaos. There is still water on the floor. There are records all over that room. There is black mold growing up the sides of the records. Clearly, those records are unusable in any form or any hope to be usable in the future. That is why this legislation is so critical. Lives, as well as money and time can be saved if we make these important steps towards enacting this legislation.

Mr. PALLONE. Mr. Chairman, I yield 4 minutes to our ranking member of the full committee, the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Well, Mr. Chairman, here we are again. Bad legislation, bad procedure, unfair behavior by the majority, and the inability to have a proper discussion of the matter before us or to have an honest chance to amend a bad bill.

My Republican colleagues are wasting a fine opportunity to make real progress in an area in which most Members of Congress are highly supportive, health information technology. We have a chance not only to save money and time, but we also have a chance to save lives. But we won't even allow a proper discussion or fair and decent amendments.

We have a chance to help providers to transform their practices so that they could better serve the needs of their patients and so that there could be electronic communications with providers, health plans and with the government.

The Democrats sought a substitute to the committee bill under the rules. The Rules Committee, as usual, rejected it. So we are functioning under a gag rule. This alternative was identical to the bill the Senate passed unanimously last November with strong privacy protections, and with bipartisan sponsorship and support. The Senate bill, S. 1418, was jointly introduced after being negotiated between Senators FRIST, CLINTON, ENZI and KENNEDY. But we won't be permitted to vote on it today. We must hear from our Republicans as to why it is they are afraid to allow proper debate, or why it is that they won't allow a proper vote on matters which could strongly, broadly and importantly affect their constituents and mine.

The bill before us falls short. First, it makes no progress towards protecting the privacy and security of health information. Expanded use of electronic health care systems clearly has a great potential benefit, but it also poses serious threats to patients' privacy by creating greater amounts of personal information susceptible to thieves, rascals, rogues and unauthorized users.

President Bush said something to my Republican colleagues, and I hope every once in a while they listen to their leader. He said this: ''I presume I am like most Americans. I think my medical records should be private. I don't want people prying into them. I don't want people looking at them. I don't want people opening them up unless I say it's fine for you to do so.''

Well, why is it that you won't protect, then, the records of people and share the concerns of the President?

Second, H.R. 4157 fails to include sufficient Federal funding to foster the adoption and implementation of health information technology such as electronic medical records. Start-up costs are a very significant failure and a barrier that physicians face.

Third, H.R. 4157 goes too far in undermining fraud and abuse laws as its response to needed investment. The exceptions provided in this bill to the Stark self-referral and anti-kickback statutes potentially encourage biased decision making about a patient's treatment, and it sets up a situation where a doctor may be compelled to be confined in a system run by a particular hospital or health care provider.

Fourth, the bill falls short in establishing comprehensive standards. It does little or nothing to promote the adoption of standards by providers. The fastest way to accomplish this would be to have the Federal Government to abide by the standards that it adopts for electronic communications so that others in the private sector will follow. H.R. 4157 does none of this.

The bill fails seriously on issues of patient privacy, funding for health information technology, providing and promoting electronic communications between providers, and protecting against fraud. This is a bad bill. A chance to write good law has been rejected. The bill should be rejected, and I urge my colleagues to vote ''no.''

Mr. BARTON of Texas. Mr. Chairman, I yield 2 minutes to the Vice Chairman of the Energy and Commerce Committee, the brightest bloom to come out of Laurel, Mississippi, CHIP PICKERING.

Mr. PICKERING. Mr. Chairman, I rise today in support of very significant legislation. Too often in this place we are faced with dilemmas and difficult choices of trying to find savings that could diminish care, the quality of care, the availability, the accessibility of care. But this is actually an opportunity for us, in this Chamber, and as we go through the legislative process in the House and the Senate, to have significant savings to allow a stronger, more sustainable Medicare Medicaid health care system, that instead of reducing the quality of care, improves the quality of care, reduces errors and improves the efficiency of how health care is delivered. This is a great opportunity and it should be an opportunity of bipartisan support. I do believe that when we get to the final product, that when we finish the House and the Senate conference, that this is something where we can have broad consensus. We do not necessarily need partisan division on something that has such great promise and potential to save money, the resources that we so desperately need in our health care system, but, more importantly, to protect and promote and to heal the individuals and the lives across the country.

Just coming out of Katrina, we have seen in hospitals and health clinics and community health centers across Mississippi, the loss of medical records. If

we have electronic records in place, that will not happen in future storms. This is a critical protection to the records which are vital to the health care of our citizens. Those that are poor and low income, electronic records in community health centers and in Medicaid systems and in VA systems have seen and will see tremendous benefits. This is an area in health care policy where we should not be divided, where we should find agreement, and we should accomplish good things together.

Mr. Chairman, I support this legislation, and thank you for your leadership on this issue.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Chairman, I was disappointed with this bill during the mark-up in the Energy and Commerce Committee, and I remain disappointed with the final version on the floor today. With information technology, this Congress has an opportunity to revolutionize the way health care is delivered in this country, but this bill is weak and it merely props up the status quo. And, Mr. Chairman, this bill could actually make things worse.

My main concern is that underserved communities would not be a part of the health care information technology revolution. Too often communities such as those I represent where a disproportionate number are minority Americans and are the last to garner the benefits of new technological developments. As such, it is vital that any serious HIT bill have a funding component that aids low income providers. Unfortunately, this bill does virtually nothing to address this very serious problem.

Nor does this bill have adequate requirements for interoperability which is, of course, a very huge flaw. Many low-income residents in densely populated urban environments do not have a primary care doctor that serves as a consistent medical provider. Instead, these citizens often go from provider to provider, from clinic to clinic, and receive their health care only sporadically. As such, it is vital that all of these providers are connected to interoperable information systems, such that they are all able to communicate with each other and share necessary medical information. Without interoperability requirements, we are left with the possibility of a network of fragmented health care delivery systems that are not able to talk to each other and coordinate care.

Mr. Chairman, I must oppose this bill, and I urge my colleagues to oppose it also.

Mr. BARTON of Texas. Mr. Chairman, I yield 2 minutes to a distinguished congressman from the Pelican State of Louisiana, who is a cardiovascular surgeon, Dr. BOUSTANY.

Mr. BOUSTANY. Mr. Chairman, during my career as a cardiovascular surgeon, I saw far too many nurses, physicians and patients waste valuable time on paperwork. And I saw situations where available critical information was not available during a crisis.

Immediately following Hurricane Katrina and Rita, the need for portable electronic medical records became undeniable when thousands of patients' records were destroyed or inaccessible. But we did see some hope in that the New Orleans VA Hospital, despite being flooded, had records for 50,000 patients that survived because of the electronic nature of the records and the backup system that was available.

We also saw a secure Web site, Katrinahealth.org, established through a private/public partnership that was another promising example.

□ 1345

When it comes to the use of information technology, America's health care sector has lagged far behind other economic sectors for decades. Our inefficiencies also squander billions of health care dollars that could otherwise go to helping patients.

This legislation pending before the House today is critical. It will help overcome one of the most significant barriers to the adoption of health IT. Small physician practices find it financially difficult to invest in health IT equipment. The investment can run as high as $120,000 per physician. Federal statutes currently make it illegal for these providers to accept this equipment from a hospital or an insurance partner. To address this problem, this bill would provide the adequate safe harbor so that organizations could donate equipment to physicians without violating law.

H.R. 4157 will help empower patients. It does preserve State privacy laws. It limits skyrocketing costs. And it will improve quality. Failure to modernize our health system is simply unacceptable, particularly given the aging population, the rising health care costs, and the prospects of future natural disasters.

So I urge passage of this very important legislation.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I thank my colleague for yielding.

I rise in strong opposition to H.R. 4157. Rather than move our health care system into the 21st century, this bill does little other than bestow gifts upon the insurance companies and big businesses. HIT does have great promise, great opportunity. And as a nurse, I know very well the importance, for example, of electronic medical records. But if the leadership was really serious about facilitating wider-spread adoption of HIT that is able to deliver better quality health care for patients, this bill would have contained the following:

A timeline for achieving interoperability; funding so that hospitals and physicians could afford to purchase the technology; and, as I mentioned when I spoke against the rule, privacy protections. What good is health information technology if providers cannot communicate with each? What good is the existence of health IT if nobody can afford to use it? And what good is making our personal, private, sensitive information vulnerable to improper access and disclosure?

Unfortunately, we are still in an age where individuals may be discriminated against because of health conditions. Here is our chance in a bill to protect personal information from being used to discriminate against people. And my colleagues on the other side of the aisle have indicated they do not care about patients' rights to privacy. If you look carefully at the organizations supporting privacy protections, you will notice they are patient advocates, consumer groups, health professionals.

Those opposing it? The industry.

Whom are we passing this bill for today? I thought it was supposed to be for patients so that they could receive better care and for the health professionals so they could provide better care. But it is clear to me that this bill before us disregards patients' needs.

We need to start over and do a better job. HIT is that important. But not this bill. I, therefore, oppose H.R. 4157 and urge my colleagues to vote ''no.''

Mr. BARTON of Texas. Mr. Chairman, I yield 2 minutes to a member of the committee, the distinguished majority whip from the Show-Me State of Missouri, the Honorable Mr. BLUNT.

Mr. BLUNT. Mr. Chairman, I thank Chairman BARTON for yielding and for bringing this bill to the floor.

The chairman and members of our committee, particularly Mrs. JOHNSON from Connecticut on the Ways and Means Committee, have been so instrumental in getting this bill to the floor today. This is a critically important start.

As I sat here and listened to the debate, it is clearly like we are debating two different bills: one that wants to change the entire world in one bill and one that wants to step forward.

On the privacy issue, this does not do anything to change current privacy standards, but what it does is allow the information that people have about their health to be shared in a way that helps them. And in terms of the cost, taxpayers pay an awful lot of the health care cost in the country today. And as my good friend Mr. PICKERING pointed out, this is a way to minimize cost and maximize benefits to patients at the same time. That does not happen very often.

Mr. Chairman, we have a little town in my district, Branson, Missouri, and it has lots of tourists. Seven or eight million people come there ever year. Last year, last August, I was sitting at lunch beside the hospital administrator, and he shared with me that particularly in about the fall, most of the tourists that come are retired. Many of

them come as part of a package travel situation. And he said, If you are retired and you paid for a package travel, if you feel like getting on the bus, getting on the airplane, you more often than not make an effort to make that trip, and more times than you would expect, the first stop on that trip is the hospital. For somebody who is on that motor coach who should not have probably gotten on but they get to Branson, Missouri, not feeling all that well, with the right kind of ability to get their health information shared, a 3-day visit to the hospital could be a 3-hour visit to the hospital.

We need to start this process. Chairman BARTON understands that. Mrs. JOHNSON understands that. Our committee understands that. This is the way to do it today. I am pleased to see this bill on the floor. It is an important first step. You can never get there if you do not take the first step. This is a great first step.

And, Chairman BARTON, I applaud your efforts to get this bill on the floor.

Mr. PALLONE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I just wanted to say, from personal experience in my home State of New Jersey over the last few months, I have visited a number of hospitals throughout the State and looked at their health IT, and I have also talked to a number of physicians. The reason that this legislation is not going to accomplish the goal of really expanding health IT, and I can tell just from my experiences with these hospitals, first of all, most of the doctors say that even for a small group practice, they probably have to invest about $50,000 or more into health IT. And given the reimbursement rates and what is happening right now, most physicians, particularly small group physicians in rural areas and in urban areas, are not able to make that kind of investment. So that is why we need a funding source.

This bill has very little funding, minimal. And the substitute, which is based on the Senate bill, on a bipartisan basis, would provide the funding to make a meaningful difference so that we would have an increase in health IT. That is what this is all about. That is why we should reject this bill and adopt something like the Senate bill.

In addition, with regard to the privacy provisions, when I visited the hospitals in New Jersey, it was very clear to me that when you start to move with a lot of these electronic and high-tech systems, there is going to be a real problem with privacy that may not exist now with traditional systems. Moving to an electronic system, you have to have additional privacy guarantees. And we feel, again, the Democratic substitute that was rejected by the Rules Committee had those privacy guarantees. I think they are going to be part of our motion to recommit.

This is the time to address the privacy issue in the context of this bill, and I would ask that we reject the legislation.

Mr. BARTON of Texas. Mr. Chairman, before I yield to Congressman CLAY of Missouri, let me compliment Subcommittee Chairman DEAL for his efforts on this bill. He cannot be here today because his mother is ill, but he worked very hard.

Mr. Chairman, I yield 1 minute to the distinguished congressman from Missouri (Mr. CLAY).

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

Mr. Chairman, I rise today in support of H.R. 4157, the Health Information Technology Promotion Act of 2006. I believe the bill before us is a thoughtful and measured approach for establishing the Federal Government's role in promoting the adoption of a national health information network.

The bill before us takes the logical step of codifying the Office of the National Coordinator for Health IT at HHS. This will ensure long-term stability and continuity in the establishment of policies and programs relating to network interoperability, product certification, and adoption throughout the health care stakeholder community. It will also prove beneficial to both providers and public health agencies nationwide as vital clinical, prescribing, and laboratory information will be accessible through one integrated network.

I want to thank Congresswoman JOHNSON and Congressman DEAL for their good work.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself 5 minutes.

I rise in strong support of the legislation and would submit my opening statement for the RECORD.

I would like to comment on some of the comments of my colleagues made earlier. Before I do that, let me just take a moment to thank Chairman BARTON and Representative NATHAN DEAL and my own chairman, Chairman BILL THOMAS, for their support and effort in the development of this bill. But instead of doing my opening statement, let me comment on some of the things that have been said to this point.

First of all, on the issue of privacy, this bill sets the groundwork to improve privacy by putting in place a study of State privacy laws and Federal privacy laws so we can see what is working, what is not working, how similar are the State laws, where might their differences inhibit the security of a nationwide system. In other words, it gives us the knowledge we need to upgrade our HIPAA system if, indeed, that is necessary. It may tell us that is not necessary. But it would be absolutely irresponsible to move ahead without the information that will be developed as a result of this legislation. HIPAA already provides absolute protection of our health information.

What we want to know is when you do what this bill envisions, that is, you create a nationwide interoperable health information system to put that in place and secure personal health data, are there changes you need to make in Federal law? Are there commonalities in State laws that need to be brought closer? Are there any changes, indeed, that need to be made to absolutely secure individual personal health data as we move to this system? That is the issue on privacy.

Secondly, this bill adopts a whole new coding system, the ICD–10 system. Under today's system, you cannot tell whether a hospital has made a great leap forward in quality because they are doing a better job or simply because they have changed an operative technique from an invasive operation to a noninvasive approach to that surgical procedure. So we have to know more about what we are doing so we can talk honestly to ourselves about quality, so we can upgrade quality, and so we can pay accurately. This bill does that.

This bill sets up an Office of Technology, and we need that office to assure that the public and private sectors work together to create an environment in which great companies in America compete to provide the best possible technology, all of which becomes interoperable.

So without a Federal office involved, without standards being set, we will not have that interoperable system that we know is going to be so important to improve the quality of our health care system.

Not only do we need to have standards; we need to accelerate dissemination because the power of health information technology is not in a single provider. It is in the system-wide impact of it. So this bill helps disseminate that technology in part through its grant provision. But, realistically, the government is not going to pay for this. The system is going to do it because it creates such system efficiencies that it pays the system back. However, in addition to grants we encourage the system to be able to dissiminate technology by allowing consortium to develop, by allowing a hospital in a small town to work with the big employers in that town, the big insurers in that town, to get together to get a good deal on technology or on several technologies so that technologies are appropriate to the providers but are interoperable.

So this not only deals with the development of standards, with the dissemination of technology, with building the knowledge base we need to ensure the privacy of personal health information. It moves to a more modern coding system, and it will deliver to us a dramatic revolutionary increase in the quality of health care available in America. It will not only reduce medical errors and eliminate adverse drug interactions, saving millions of dollars, reduce administrative costs by billions, but also allow us to do chronic disease management for our seniors, care management for the severely ill, and upgrade the quality of diagnosis and

treatment and return ourselves to a patient-centered affordable health care system.

So this is an important bill that sets the foundation for the future. And I am astounded at my colleagues on the other side of the aisle opposing it because it does not do things we are not yet prepared to do.

Today the House of Representatives has the opportunity to pass legislation that will lay the foundation for a new era in health care. Systemwide adoption of health information technology will dramatically improve the quality of care. It will reduce medical errors, reduce duplication and unnecessary care, and bring cutting edge information to the service of doctors as they diagnose and treat their patients. It will also eliminate many of the administrative inefficiencies that characterize the American health system and strengthen and protect the security and confidentiality of health information systems. In short it will fundamentally advance the practice of medicine and improve the quality of care all Americans will have access to.

Unfortunately, the adoption of health information technology has been frustratingly slow. Since the full potential of this technology can only be harnessed if it is widely disseminated amongst all types and sizes of providers, it is imperative to pass H.R. 4157 to speed the adoption and diffusion of health information technology.

This legislation is modest in scope. It lays the groundwork for fundamental change by removing the barriers to private sector adoption. It provides for a national framework for the development and widespread dissemination of interoperable health information technology by creating an office to coordinate the development of a national health information system. It promotes common-sense cooperation between doctors and hospitals and other providers by allowing entities to provide physicians and others with hardware, software, training or IT support services. It updates diagnosis coding systems for the digital age and provides an expedited process for ongoing updating of technology standards. It begins a process for creating greater commonality amongst state and federal security and confidentiality laws and regulations in order to better protect and strengthen the exchange and health information. Additionally, it provides grants for the adoption of health information technology to coordinate care among the uninsured and to implement technology in small physician practices. Finally, it includes studies and reports on the expansion of telehealth services in Medicare.

Health information technology touches every aspect of the health care system. It will enable us to provide disease management for all those with chronic illnesses, care management for those with severe, complex illnesses, and provide access to preventive and appropriate care for the uninsured. It will reduce medical errors, adverse drug interactions, and decisive support to improve the quality of diagnosing and treating patients.

The role technology can play in the systems of health care will be as revolutionary as the role technology has played in health care research and treatments. H.R. 4157 removes barriers to greater adoption of information technology in the health system so the long overdue potential of technology can be realized in health care.

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

□ 1400

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

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

Mr. STARK. Mr. Chairman, I am going to start with three fairy tales, I had four, but my staff made me cut one out, fairy tales your mother would tell you.

One, if you didn't clean your ears, potatoes would grow in your ears. The second fairy tale my mother told me was if you ate too many watermelon seeds, a watermelon vine would grow out of your belly button. The third fairy tale is that this bill will do one blessed thing to help information technology.

I am not surprised that my colleagues on the other side of the aisle spin every issue in a partisan way, but it is a shame that you are now using health information technology as a pawn to advance your bankrupt ideology. The promise that information technology holds to save lives and money is vast, but H.R. 4157 forestalls that promise.

It is a lousy bill. It does nothing. H.R. 4157 doesn't provide for the development of or the adoption of interoperability standards; it does not provide funding to help providers transition to an electronic medical records system; and it does not strengthen privacy protections.

It does do one thing: It weakens Medicare's fraud and abuse laws. My colleague from Louisiana on the Ways and Means Committee acknowledged in our full committee markup that if the fraud and abuse provisions were removed from this bill, it would accomplish nothing. Zip. That is a Republican who said that.

CBO says, ''CBO estimates that enacting H.R. 4157 would not significantly affect either the rate at which the use of health technology will grow or how well that technology will be designed and implemented.''

The reason that it has no cost is it doesn't do a bloody thing.

People who I often disagree with, America's Health Insurance Plans, representing the for-profit hospitals and plans, wrote to us and said, ''The pending legislation falls short of its stated goals and will lead to serious unintended consequences for consumers. We have consistently shared these concerns, and cannot support the legislation with the following provisions as currently drafted.''

I don't know what my colleagues across the aisle think they are doing. We offered some amendments to address the serious failings of this bill and we were opposed on party line votes. Mrs. JOHNSON, Mr. SHAW and Mr. HAYWORTH voted against adding funding so that doctors could afford to transition. These same people, Mrs. JOHNSON, Mr. SHAW and Mr. HAYWORTH voted against adding provisions that contain waste, fraud and abuse. They opposed setting a date certain for the implementation of interoperability and standards. And they opposed, Mr. SHAW, Mr. HAYWORTH and Mrs. JOHNSON, an amendment to make sure that people's private medical records were protected. Unfortunately, these amendments, all rejected on party line votes, would have improved the bill somewhat.

This does not have to be a partisan issue. The Senate was able to pass unanimously a bill that is greatly better than this bad bill.

I have spent countless hours reading and discussing this issue with physicians and other experts. I spent a day at the VA to learn about their system. On numerous occasions, I have reached across the aisle in an attempt to come up with some vision about how we might move forward.

Sadly, this is just a fig leaf, a political statement for campaigns that does absolutely nothing to improve the future of information technology, which is sadly needed by our medal providers. Indeed, it does harm to that. I hope we can reject this bill, come back after the elections when there is a better climate for bipartisan work and report a bill out that will do some good.

I urge my colleagues to oppose 4157.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I want to thank the gentlelady for yielding.

I rise today in support of H.R. 4157, which is not a panacea, but is an important starting point on this very important topic.

This legislation would work to ensure interoperability standards for health IT are adopted, stimulating investment in electronic health records, electronic prescribing and other forms of IT that have been demonstrated to make health care safer and more efficient.

Only through a truly interoperable, nationwide system will the benefits of health information technology be fully realized. The widespread adoption of health IT holds great promise to reduce medical errors and administrative costs, which can lead it to a dramatic improvement in the quality, the delivery and the cost of health care.

A couple of years ago in my district, I established a Health Care Cost Containment Task Force which identified preventable mistakes and physician errors as a significant source of health care costs in the system. One of my task force's recommendations was to help curb the rise of preventable medical errors through the implementation of health information technology.

I am very pleased with the work that our subcommittee and its chairman have done in this area. This is a very important initiative because, compared

to other industries, health care has a neolithic perspective when it comes to information technology.

The core idea, Mr. Chairman, behind an electronic health care system, is that doctors in one State treating an emergency room patient visiting from another State should be able to access that patient's records on a nationwide health care technology system. In this way, the patient will be better protected, the doctors will be able to treat the patient more quickly and more effectively, which would cut down on errors, and the Nation will save on health care spending.

By supporting this legislation, we make a significant move forward in bringing health care information technology fully into the 21st century and, in the process, saving lives and resources as well.

Mr. STARK. Mr. Chairman, I am pleased to yield 2 minutes to my colleague from the Virgin Islands, Dr. CHRISTENSEN, who knows firsthand how important the issue is before us today.

Mrs. CHRISTENSEN. Mr. Chairman, I thank Mr. STARK for yielding.

Mr. Chairman, there is no doubt that health information technology, or HIT, holds great promise in helping us solve some of our most pressing health care issues, such as reducing escalating health care costs and medical errors.

Yesterday I appeared before the Rules Committee to request that an amendment to H.R. 4157 be made in order which would ensure that HIT monitor and measure the racial, ethnic and geographic health disparities. The amendment, like others, was not accepted, and the committee lost an opportunity to make this bill better, to improve the health of millions of hard-working Americans who it is proven are discriminated against in health care and further reduce the health care costs caused by disparities.

Disparities that cause, for example, the maternal mortality rate for African American women to be almost five times higher than that for their white counterparts; or the infant mortality rate in African Americans and American Indian/Alaska Natives to be more than two times higher; or although they account for just one-quarter of the total U.S. population, for Latino and African Americans to account for more than two-thirds of newly reported AIDS patients.

A recent IOM report noted that anywhere from 44,000 to 98,000 deaths were caused each year by medical errors, but another report by former Surgeon General Dr. David Satcher found that health disparities caused more than 85,000 preventable deaths in African Americans every year.

The amendment I sponsored would have played a key role in helping providers, executives and administrators in the health care system better ensure an equity in the delivery of health care that does not now exist, while at the same time, further reducing unnecessary health care costs.

So today before us is a bill that doesn't have the needed privacy protections; it is underfunded, which ensures inequity will exist across the country; and does nothing to correct the greatest injustice of our time, the health care disparities that cause premature and preventable deaths and disability every day in this country that has the wherewithal to do better.

I encourage my colleagues to oppose H.R. 4157.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself 40 seconds.

Mr. Chairman, my colleagues on the other side of the aisle are acting as if we had technology that, if we only had the money, we could implement. That just isn't so. Secretary Levitt and Dr. Brailer have led a phenomenal aggressive, strong effort and through their effort, working with the public and private sector, they have established standards for electronic health records and for E-prescribing.

But there are a lot more standards to be set. And in this bill, we do have a date certain, but it is way off in 2009. I think we will get there before then. But, as important, we put in this bill a very progressive, accelerated way of updating those standards, because this is going to be about continuous improvement.

My colleagues on the other side of the aisle that talk about minority health are absolutely right. Unless we get health information technology implanted and we move to chronic disease management and health care management, we cannot meet the needs of care our minority population need. That is why this bill is so important.

Mr. STARK. Mr. Chairman I am pleased at this time to yield 2 minutes to the gentleman from Rhode Island (Mr. KENNEDY), who has been a champion on the issue of information technology.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I thank Mr. STARK for his leadership on this issue.

Mr. Chairman, we are talking today about the potential to revolutionize our health care system by means of technology that we are using in almost every other industry currently in our society except the industry that probably could benefit the most from it, and that is our health care system.

We are after this for many different reasons, but one of the reasons I am after it for is because I want to reduce the cost of health care for my constituents. My constituents, whether they be businesses that are paying exorbitant premiums for their workers, or the workers who are paying high premiums themselves, or whether it is not only the consumer, but it is even the providers that are getting shortchanged on their reimbursement, no one is happy with the current health care system.

So, Mr. Chairman, what we could do today is do what has been already outlined by the Rand report, which says we could save $162 billion in direct costs because we would now not have to duplicate care if we have care now that is tracked, so we don't have to go to four different doctors and not have each doctor repeat the same test.

We can now make sure that the best in care gets to everybody, because now the evidence base will be available to all doctors, no matter where they live in this country, so people will get the same and the best of care.

But, frankly, Mr. Chairman, this bill doesn't do it. This bill doesn't do it. Why? Because it doesn't implement the quality standards to ensure that people get that good care. It doesn't ensure that we move quickly to the adoption, because, one, it sets up the adoption date too far in the future. Why are we waiting? If we are acknowledging this is important, why are we putting this off?

Next, when it comes to making sure that there is privacy, I don't frankly understand how we can go into an electronic age in medical records and not ensure that people's personal medical privacy is protected.

For those reasons, I will be voting against this legislation.

Mrs. JOHNSON of Connecticut. Mr. Chairman, yield 2 minutes to the gentleman from Missouri (Mr. HULSHOF).

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

Mr. HULSHOF. Mr. Chairman, I would like to thank the Chair of the Health Subcommittee, especially for her bold initiative and leadership on this bill, for really trying to wrestle with a very important issue and looking ahead and being a visionary as far as employing technology and how we can improve health care in this country. It is a good bill. I am proud to be an original cosponsor.

I would especially like to touch some the telemedicine, telehealth, provisions. I appreciate very much that Mr. THOMPSON of California and I have put together a bill where the bottom line, Mr. Chairman, is that with advancements in telecommunications, health care providers in small communities can now access resources that are available in the finest hospitals and academic institutions in the country.

The quality of one's health care should not be dictated by one's ZIP Code. So I am very excited about the fact that technologies like interactive video conferencing, the Internet, satellite, are already systematically changing the face of our Nation's health care.

This legislation directs the Secretary to work with the telehealth community, especially as far as services across State lines. We know that that is an issue. We want to expand the origination and consulting sites so that more of our underserved communities will have access to the best health care that the community has to offer.

□ 1415

I would like to brag a little bit, Mr. Chairman, because telehealth patients

from small towns throughout my district in Missouri have been receiving specialist care or services from a variety of specialists, including mental health providers. I know that is certainly a hot-button issue for many here, without having to take available time, maybe, away for caring for a loved one or from work or for school or for other parental duties.

Right now there are 2,000 patients in Missouri that are cared for using Missouri's telehealth network. It is estimated over 40,000 radiological examinations have been performed. In fact, one example: a critical-access hospital in the small town of Macon, Missouri, unexpectedly lost the only radiologist in the area. There was not another specialist within that underserved area.

Fortunately, the University of Missouri stepped in to provide coverage during this 4-month period of time so this small community could have access to a qualified radiologist. Again, there are lots of good things in this bill. But telemedicine is one piece of it. I commend the chairwoman and I urge everyone to support it.

I thank the chair of the Health Subcommittee, on which I serve, for her bold leadership on this bill and improving health information technology in this country.

H.R. 4157 will launch the American healthcare system into full capacity to take advantage of the best technology. This will give all Americans better health care, more accessible medical records, and better quality of care.

It is a good bill of which I am proud to be an original cosponsor.

I would like to touch on the telemedicine provisions of the bill.

The Health Information Technology Promotion Act includes important provisions for the advancement of telehealth services—Requires the Secretary of HHS to take steps that expedite the provision of telehealth services across State lines by taking a closer look at State licensure issues; requires the Secretary to conduct two studies: (1) a study on the use of store and forward technology in the provision of telehealth services; and (2) a study on the coverage of telehealth services provided in home health agencies, county mental health clinics and other publicly funded mental health facilities.

Advancement in telecommunications now allows health care providers in small communities to access the resources available in the finest hospitals and academic institutions. Individuals in this country should receive the health care they need regardless of where they live. A person's address should not dictate the state of their health. Technologies such as interactive videoconferencing, the Internet and satellite are already systematically changing the face of our Nation's health care.

In 2000, the Congressional Budget Office estimated that the telehealth provisions of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000, BIPA, would cost $150 million over 5 years. In June I asked CMS to provide me with information on how much the Federal Government has spent to date to get an idea of how close we are to CBO projections. I was astonished to find that since October 1, 2001 Medicare has only reimbursed for approximately $1.2 million total for telehealth services and originating site facility fees. This illustrates that the Federal Government has made a minor contribution compared to what we were expected to spend. And more needs to be done.

This legislation highlights the capabilities of telemedicine by directing the Secretary to work with the telehealth community to find solutions to the services across State lines issue, and expanding origination and consulting sites so more of our underserved communities will have access to the best health care this country has to offer.

I would also like to brag on how, because of telehealth, patients from small towns throughout my district are able to receive services from a variety of specialists, including mental health providers, without having to take valuable time away from work, school or parental duties.

Currently in Missouri, over 2,000 patients per year are cared for using the Missouri Telehealth Network and it is estimated that over 40,000 radiology exams have been performed. In fact, in my district, a Critical Access Hospital in the town of Macon unexpectedly lost its only radiologist, leaving the area without a specialist in this area. Fortunately, the University of Missouri stepped in to provide coverage through the telehealth network for a 4-month period until a new radiologist was hired. Without this option, Macon residents would have been forced to either commute or simply go without radiological care.

It is my hope that via this legislation, rural and underserved areas in my district and across the country will be able to find the same successes experienced with the Missouri Telehealth Network.

Mr. STARK. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, during the 12 years that Republicans have controlled this House, they have done very little to address the real concerns of families confronted with a health care crisis. This afternoon during rush hour, some family, in fact probably many families, will suffer a severe auto accident on the way home.

Perhaps a mom will be found to have breast cancer, or a child a serious childhood disease. And as these health care challenges emerge, tens of thousands of families across America will end up not only driven into despair but into bankruptcy.

And yet Republicans have not offered real solutions to address those kinds of problems. Recognizing their failures earlier this year, both Senate and House Republican leaders declared there would be a ''health care week.'' Well, the Senate took up their ''health care week,'' and every old, retread Republican proposal that they had was rejected.

So I guess too embarrassed to have ''health care week'' here in the House, even though they declared it, the Republicans canceled ''health care week,'' just like they have canceled so many of the commitments that they made back in 1994 to the American people.

And what they have left as their one new idea for the crisis that American families face in health care is this pitiful proposal. They have discovered that the answer to the problems American families face with health care is not what the American families thought was their problem about getting access to affordable, quality health care. No, it is bad handwriting. Yes. We all know the legendary bad handwriting of physicians that is the subject of cartoons and stories.

But by golly, they are solving that. All of these physicians, and the hospitals and the clinics, will be using electronic records and solve that penmanship problem. Well, that is not a bad idea. It is just that they do not put their money where their mouth is.

They tell the physicians and the clinics, you figure out how to pay for this technology. And in the process of this transformation, once again, as they have done with our library records and our phone records and our veterans records, they couldn't really care less about privacy.

Think about whether you want your psychiatric records, your prescription records on the Internet for other people to see. Because this legislation does not provide the guarantee of privacy. And so fearful are they of a true debate about protecting the privacy rights of Americans to their medical records, to their health care records, that may affect their future employment, that may affect their future family relations, that may affect their ability to get insurance.

So fearful are they of a debate about that, they refuse to let us offer even one amendment to address patient privacy.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I ask how much time is remaining.

The CHAIRMAN. The gentlewoman has 2½ minutes remaining.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I rise today in favor of a bill that would help us usher in 21st-century medicine into the doctors' offices of our country. By encouraging the dissemination of health information technology, we move full speed ahead toward establishing an infrastructure necessary to create an environment where errors are reduced and care is improved.

This bill promotes cooperation between doctors and hospitals and provides physicians with the IT support services they need to establish this infrastructure. In particular, I am pleased this bill includes an amendment that I sponsored in the Energy and Commerce Committee with Congressman TOWNS that would provide grants for the use of health information technology to coordinate care for the uninsured.

These grants are targeted to integrated health systems that have demonstrated success in the past for treating the uninsured and underinsured populations in underserved communities. This is just one example of how this bill helps to provide the necessary framework for health IT for all Americans.

Mr. Chairman, I invite all of our colleagues to support this commonsense legislation. It will help establish a framework of care for all Americans as we head into the 21st century.

Mr. STARK. Mr. Chairman, to close debate for our side, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip, who supports information technology, but realizes this bill does nothing to help it.

Mr. HOYER. Mr. Chairman, Democrats worked with the health care and technology industries to write a bill that would lead to the widespread use of information technology in medicine, a necessity. The effective use of it can reduce medical errors, health care costs, and save lives.

Mr. Chairman, we should be taking up the Dingell-Rangel bill today, a bill that was virtually identical to the bill that passed unanimously in the United States Senate. Instead, we are voting on a Republican bill that fails to provide for the development or adoption of interoperability standards, that fails to provide funding to help providers transition to an electronic medical records system, and that fails to strengthen privacy protections.

What a shame. What a missed opportunity. We should oppose this bill, and we should bring the Rangel bill to the floor.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY. Mr. Chairman, for the record I would like to note that the HIPAA laws do apply to this with regard to privacy, whereby there would be fines up to $250,000 and up to 10 years in prison for disclosure or obtaining health information in many of these areas. So it does apply.

The second is the CBO report which is being taken out of context. It mentioned that there can be savings for Medicare in this. And as hospitals learn to adapt to health information technology, if they do not adapt right, that may be more costly; but overall there are many savings in this.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield the balance of our time to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I rise in support of this legislation because it will dramatically improve civilian health care, the way this technology has already done for veterans across America. When Katrina hit New Orleans, many civilian hospital record rooms were wiped out, including the medical history of thousands.

Meanwhile, American veterans already had fully electronic medical records, and their medical histories were seamlessly transmitted to other VA hospitals in Baton Rouge or Houston for complete care.

There is a reason why Senator CLINTON and Speaker Gingrich both so strongly support a full deployment of electronic medical records. They reduce medical errors and improve care as they already have demonstrated to do so heavily in the VA.

Our Federal law already sanctions any violation of medical privacy with up to 10 years in jail and $250,000 fines.

This legislation is the third part of our suburban agenda, commonsense reforms to improve the health care for all American patients.

Mr. CLAY. Mr. Chairman, I rise today in support of H.R. 4157, the Health Information Technology Promotion Act of 2006. I believe the bill before us is a thoughtful and measured approach for establishing the Federal government's role in promoting the adoption of a national health information network.

The bill before us takes the logical step of codifying the Office of the National Coordinator for Health IT at HHS. This will ensure long-term stability and continuity in the establishment of policies and programs relating to network interoperability, product certification, and adoption throughout the health care stakeholder community. It will also prove beneficial to both providers and public health agencies nationwide, as vital clinical, prescribing, and laboratory information will be accessible through one integrated network.

Just last week, the Institute of Medicine released its report on the number error rates involved with prescribing patient medications, and how the use of e-prescribing would contribute to reducing the number of annual errors in hospitals by 400,000 and save an estimated $3.5 billion this year alone. Utilizing health IT is not only economically beneficial, but will also prevent many costly and unnecessary patient injuries relating to drug interactions.

I realize the bill before us is not a perfect one, and I agree with my friends who have stated that stronger protections for the security and privacy of personal health information are desperately needed. Let me be clear that I'm very disappointed that some thoughtful amendments offered by my Democratic colleagues on security and privacy will not be considered today. I do not believe, however, that health IT platforms used for the preservation or transmission of identifiable patient information are any more vulnerable to security breaches than modern paper-based record systems.

In fact, many providers, insurers, and hospitals have already transitioned from paper based records to electronic health record systems, while taking internal steps to ensure that appropriate security and access controls are built into their IT systems and are compliant with current law. All we are doing today is taking the next step to ensure that all who choose to utilize health IT have a blueprint for system standards to ensure optimal functionality for all participants.

I thank Congresswoman JOHNSON and Congressman DEAL for their good work.

Mr. CARDIN. Mr. Chairman, I rise in opposition to this bill. I am disappointed that the House has missed an opportunity to promote in a meaningful way our health care system's transition from a paper-based medical records system to an electronic one. Congress is in nearly unanimous agreement that this move is necessary, and that it is in the best interest of patients, providers, and health care quality over all.

But it appears that we have before us legislation that will do little to move the Nation toward that goal, and that in some respects, may be harmful. As a member of the Ways and Means Committee, which considered this bill earlier this year, I had the opportunity to vote on several amendments that would have strengthened this bill, that would have enabled our Committee to bring this bill to the floor with bipartisan support. Those amendments would have added funding so that doctors could afford to transition to electronic medical records; removed provisions that expand fraud and abuse, set a date certain for the implementation of interoperability standards, and guaranteed the confidentiality of personal health information. Unfortunately, each was defeated on a party-line vote.

So the bill before us today still contains several fundamental problems. The first is the lack of strong privacy protections. Mr. Chairman, I wonder how many breaches of supposedly secure electronic medical records must occur before we get serious about enacting strong privacy protections into law. In two weeks, we will mark the 10th anniversary of the Health Insurance Portability and Accountability Act. Privacy regulations stemming from that law were finally issued in 2001. Ten years ago, Americans' familiarity with electronic communication and electronic transfer of information was quite limited. HIPAA does not protect individuals.

The second is a lack of funding. My colleagues, Mr. WYNN, Mr. ENGEL, and Ms. SCHAKOWSKY and I offered an amendment that would have provided grants for community health centers and hospitals with high numbers of low-income patients. These are the facilities that already face severe financial strains. They include many community health centers in Baltimore and larger facilities such as Prince George's Hospital Center in my home state of Maryland. They do not have extra money to implement expensive health information technology systems. Our amendment would have given them needed help to take advantage of health information technology for their patients, many of whom face significant health challenges due to chronic illnesses. If adopted, our amendment would have helped these facilities leap the financial hurdles that will otherwise prevent the spread of health information technology. Unfortunately, the Rules Committee refused to allow our amendment to be made in order.

Mr. Chairman, many of my colleagues have made this point, but it bears repeating: The nonpartisan Congressional Budget Office estimates that enacting this bill in its present form "would not significantly affect either the rate at which the use of health technology will grow or how well that technology will be designed and implemented." The lack of funding is one of the primary reasons why.

I am also very concerned about the exceptions to the Stark anti-self-referral and anti-kickback laws contained in the underlying bill. These provisions would serve to seriously weaken these important consumer protection

laws. In H.R. 4157 as it is being considered today, physicians could be offered free or discounted technology in exchange for referring their patients to a facility or for a particular service. According to the Congressional Budget Office, these exceptions would raise health care costs.

Mr. Chairman, I will vote for the motion to recommit, which will protect medical privacy. It will ensure that patients can keep their medical records out of electronic databases unless they first give their permission. It will require patient notification if their health information is misused, lost, or stolen. It requires the use of encryption and other safeguards against theft. Importantly, it would permit patients to limit access to particularly sensitive information, such as mental health data. Finally it would protect state privacy laws that may be more protective of patient confidentiality.

I support the provisions of the bipartisan bill passed by the Senate, and I would hope that, for the sake of improved patient care, for better access to health information technology, for better privacy standards, that is the bill that emerges from conference. I urge my colleagues to join me in opposition to H.R. 4157.

Mr. VAN HOLLEN. Mr. Chairman, I rise today in reluctant opposition to H.R. 4157, the Information Technology Promotion Act of 2005. It is unfortunate that the House Republican leadership refused to allow this Congress the opportunity to strengthen this bill and protect the privacy of patients.

Like many of my colleagues, I support moving our health care system into the ''information age''—it holds the promise of saving lives, saving money, and saving time. However, I am concerned that H.R. 4157 does not adequately protect the privacy of patients. In light of millions of electronic data records being exposed due to recent high-profile security breaches, it is troubling that this legislation does not adequately address this critical issue.

Unfortunately, the House Republican leadership would not allow us the opportunity to vote on an alternative bill that was based on the bipartisan Senate health information technology legislation (S. 1418)—which unanimously passed that chamber. This alternative proposal included safeguards for Americans to protect their personal medical records from identity thieves.

Mr. Chairman, health information technology should not be a partisan issue. Congress should not miss the opportunity to transition our health care into the 21st century, but it must be done in a manner that will protect the sensitive health information of millions of Americans. I am hopeful that the final version of the legislation will be fashioned in a bipartisan, bicameral fashion by the House-Senate Conference.

Mr. KIND. Mr. Chairman, I rise in appreciation that House Leadership has at last brought a health information technology bill to the Floor. As a cochair of the New Democrat Coalition, I have been a long-time supporter of health IT. I believe health IT, if done correctly, will highlight the need for personal accountability in health care, advance technological innovation, promote fiscal responsibility and, most importantly, improve health and save lives. Additionally, great strides can be made in homeland security as well as tracking disease and infection.

I am pleased that H.R. 4157 will codify in law the Office of the National Coordinator for Health Information Technology and that the coordinator will be tasked with devising a national strategic plan for implementing health IT. Additionally, the grant money authorized by the bill is a worthwhile, if small, step in the right direction. Representing western Wisconsin, I know too well how difficult it is for small medical practices to afford the purchase and upkeep of software and hardware needed for electronic medical records. The $5 million in grants to rural or underserved urban areas is the first of many such grants Congress must facilitate.

While I am pleased the bill is moving forward, I am disappointed that negotiations were not done in a more bipartisan manner. It is good to see that harmful and invasive policies on privacy issues were removed from the bill, and I am hopeful that when the House and Senate meet in conference, members will take a hard look at strengthening further the bill's privacy provisions.

Mr. Chairman, I plan on voting for this health IT bill and look forward to working with the Senate on improving it. America's doctors, nurses, and patients deserve 21st century technology in the health care system, and it is past time for Congress to be acting on this issue.

The CHAIRMAN. All time for general debate has expired.

In lieu of the amendments recommended by the Committees on Energy and Commerce and Ways and Means printed in the bill, the amendment in the nature of a substitute printed in part A of House Report 109–603, modified by the amendment printed in part B of the report, is adopted. The bill, as amended, shall be considered as the original bill for purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Health Information Technology Promotion Act of 2006''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Preserving privacy and security laws.
TITLE I—COORDINATION FOR, PLANNING FOR, AND INTEROPERABILITY OF HEALTH INFORMATION TECHNOLOGY
Sec. 101. Office of the National Coordinator for Health Information Technology.
Sec. 102. Report on the American Health Information Community.
Sec. 103. Interoperability planning process; Federal information collection activities.
Sec. 104. Grants to integrated health systems to promote health information technologies to improve coordination of care for the uninsured, underinsured, and medically underserved.
Sec. 105. Small physician practice demonstration grants.
TITLE II—TRANSACTION STANDARDS, CODES, AND INFORMATION
Sec. 201. Procedures to ensure timely updating of standards that enable electronic exchanges.
Sec. 202. Upgrading ASC X12 and NCPDP standards.
Sec. 203. Upgrading ICD codes; coding and documentation of non-medical information.
Sec. 204. Strategic plan for coordinating implementation of transaction standards and ICD codes.
Sec. 205. Study and report to determine impact of variation and commonality in State health information laws and regulations.
TITLE III—PROMOTING THE USE OF HEALTH INFORMATION TECHNOLOGY TO BETTER COORDINATE HEALTH CARE
Sec. 301. Safe harbors to antikickback civil penalties and criminal penalties for provision of health information technology and training services.
Sec. 302. Exception to limitation on certain physician referrals (under Stark) for provision of health information technology and training services to health care professionals.
Sec. 303. Rules of construction regarding use of consortia.
TITLE IV—ADDITIONAL PROVISIONS
Sec. 401. Promotion of telehealth services.
Sec. 402. Study and report on expansion of home health-related telehealth services.
Sec. 403. Study and report on store and forward technology for telehealth.
Sec. 404. Methodology for reporting uniform price data for inpatient and outpatient hospital services.
Sec. 405. Inclusion of uniform price data.
Sec. 406. Ensuring health care providers participating in PHSA programs, Medicaid, SCHIP, or the MCH program may maintain health information in electronic form.
Sec. 407. Ensuring health care providers participating in the Medicare program may maintain health information in electronic form.
Sec. 408. Study and report on State, regional, and community health information exchanges.

SEC. 2. PRESERVING PRIVACY AND SECURITY LAWS.

Nothing in this Act (or the amendments made by this Act) shall be construed to affect the scope, substance, or applicability of section 264(c) of the Health Insurance Portability and Accountability Act of 1996 and any regulation issued pursuant to such section.

TITLE I—COORDINATION FOR, PLANNING FOR, AND INTEROPERABILITY OF HEALTH INFORMATION TECHNOLOGY

SEC. 101. OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY.

(a) IN GENERAL.—Title II of the Public Health Service Act is amended by adding at the end the following new part:

''PART D—HEALTH INFORMATION TECHNOLOGY

''SEC. 271. OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY.

''(a) ESTABLISHMENT.—There is established within the Department of Health and Human Services an Office of the National Coordinator for Health Information Technology that shall be headed by the National Coordinator for Health Information Technology (referred to in this part as the 'National Coordinator'). The National Coordinator shall be appointed by and report directly to the Secretary. The National Coordinator shall be paid at a rate equal to the rate of basic pay for level IV of the Executive Schedule.

''(b) GOALS OF NATIONWIDE INTEROPERABLE HEALTH INFORMATION TECHNOLOGY INFRASTRUCTURE.—The National Coordinator shall

perform the duties under subsection (c) in a manner consistent with the development of a nationwide interoperable health information technology infrastructure that—

''(1) improves health care quality, promotes data accuracy, reduces medical errors, increases the efficiency of care, and advances the delivery of appropriate, evidence-based health care services;

''(2) promotes wellness, disease prevention, and management of chronic illnesses by increasing the availability and transparency of information related to the health care needs of an individual for such individual;

''(3) promotes the availability of appropriate and accurate information necessary to make medical decisions in a usable form at the time and in the location that the medical service involved is provided;

''(4) produces greater value for health care expenditures by reducing health care costs that result from inefficiency, medical errors, inappropriate care, and incomplete or inaccurate information;

''(5) promotes a more effective marketplace, greater competition, greater systems analysis, increased consumer choice, enhanced quality, and improved outcomes in health care services;

''(6) with respect to health information of consumers, advances the portability of such information and the ability of such consumers to share and use such information to assist in the management of their health care;

''(7) improves the coordination of information and the provision of such services through an effective infrastructure for the secure and authorized exchange and use of health care information;

''(8) is consistent with legally applicable requirements with respect to securing and protecting the confidentiality of individually identifiable health information of a patient;

''(9) promotes the creation and maintenance of transportable, secure, Internet-based personal health records, including promoting the efforts of health care payers and health plan administrators for a health plan, such as Federal agencies, private health plans, and third party administrators, to provide for such records on behalf of members of such a plan;

''(10) promotes access to and review of the electronic health record of a patient by such patient;

''(11) promotes health research and health care quality research and assessment; and

''(12) promotes the efficient and streamlined development, submission, and maintenance of electronic health care clinical trial data.

''(c) DUTIES OF THE NATIONAL COORDINATOR.—

''(1) STRATEGIC PLANNER FOR INTEROPERABLE HEALTH INFORMATION TECHNOLOGY.—The National Coordinator shall provide for a strategic plan for the nationwide implementation of interoperable health information technology in both the public and private health care sectors consistent with subsection (b).

''(2) PRINCIPAL ADVISOR TO THE SECRETARY.—The National Coordinator shall serve as the principal advisor to the Secretary on the development, application, and use of health information technology, and shall coordinate the policies and programs of the Department of Health and Human Services for promoting the use of health information technology.

''(3) INTRAGOVERNMENTAL COORDINATOR.—The National Coordinator shall ensure that health information technology policies and programs of the Department of Health and Human Services are coordinated with those of relevant executive branch agencies and departments with a goal to avoid duplication of effort, to align the health information architecture of each agency or department toward a common approach, to ensure that each agency or department conducts programs within the areas of its greatest expertise and its mission in order to create a national interoperable health information system capable of meeting national public health needs effectively and efficiently, and to assist Federal agencies and departments in security programs, policies, and protections to prevent unauthorized access to individually identifiable health information created, maintained, or in the temporary possession of that agency or department. The coordination authority provided to the National Coordinator under the previous sentence shall supercede any such authority otherwise provided to any other official of the Department of Health and Human Services. For the purposes of this paragraph, the term 'unauthorized access' means access that is not authorized by that agency or department including unauthorized employee access.

''(4) ADVISOR TO OMB.—The National Coordinator shall provide to the Director of the Office of Management and Budget comments and advice with respect to specific Federal health information technology programs.

''(5) PROMOTER OF HEALTH INFORMATION TECHNOLOGY IN MEDICALLY UNDERSERVED COMMUNITIES.—The National Coordinator shall—

''(A) identify sources of funds that will be made available to promote and support the planning and adoption of health information technology in medically underserved communities, including in urban and rural areas, either through grants or technical assistance;

''(B) coordinate with the funding sources to help such communities connect to identified funding; and

''(C) collaborate with the Agency for Healthcare Research and Quality and the Health Services Resources Administration and other Federal agencies to support technical assistance, knowledge dissemination, and resource development, to medically underserved communities seeking to plan for and adopt technology and establish electronic health information networks across providers.''.

(b) TREATMENT OF EXECUTIVE ORDER 13335.—Executive Order 13335 shall not have any force or effect after the date of the enactment of this Act.

(c) TRANSITION FROM ONCHIT UNDER EXECUTIVE ORDER.—

(1) IN GENERAL.—All functions, personnel, assets, liabilities, administrative actions, and statutory reporting requirements applicable to the old National Coordinator or the Office of the old National Coordinator on the date before the date of the enactment of this Act shall be transferred, and applied in the same manner and under the same terms and conditions, to the new National Coordinator and the Office of the new National Coordinator as of the date of the enactment of this Act.

(2) RULE OF CONSTRUCTION.— Nothing in this section or the amendment made by this section shall be construed as requiring the duplication of Federal efforts with respect to the establishment of the Office of the National Coordinator for Health Information Technology, regardless of whether such efforts are carried out before or after the date of the enactment of this Act.

(3) ACTING NATIONAL COORDINATOR.—Before the appointment of the new National Coordinator, the old National Coordinator shall act as the National Coordinator for Health Information Technology until the office is filled as provided in section 271(a) of the Public Health Service Act, as added by subsection (a). The Secretary of Health and Human Services may appoint the old National Coordinator as the new National Coordinator.

(4) DEFINITIONS.—For purposes of this subsection:

(A) NEW NATIONAL COORDINATOR.—The term ''new National Coordinator'' means the National Coordinator for Health Information Technology appointed under section 271(a) of the Public Health Service Act, as added by subsection (a).

(B) OLD NATIONAL COORDINATOR.—The term ''old National Coordinator'' means the National Coordinator for Health Information Technology appointed under Executive Order 13335.

SEC. 102. REPORT ON THE AMERICAN HEALTH INFORMATION COMMUNITY.

Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the work conducted by the American Health Information Community (in this section referred to as ''AHIC''), as established by the Secretary. Such report shall include the following:

(1) A description of the accomplishments of AHIC, with respect to the promotion of the development of national guidelines, the development of a nationwide health information network, and the increased adoption of health information technology.

(2) Information on how model privacy and security policies may be used to protect confidentiality of health information, and an assessment of how existing policies compare to such model policies.

(3) Information on the progress in—

(A) establishing uniform industry-wide health information technology standards;

(B) achieving an internet-based nationwide health information network;

(C) achieving interoperable electronic health record adoption across health care providers; and

(D) creating technological innovations to promote security and confidentiality of individually identifiable health information.

(4) Recommendations for the transition of AHIC to a longer-term or permanent advisory and facilitation entity, including—

(A) a schedule for such transition;

(B) options for structuring the entity as either a public-private or private sector entity;

(C) the collaborative role of the Federal Government in the entity;

(D) steps for—

(i) continued leadership in the facilitation of guidelines or standards;

(ii) the alignment of financial incentives; and

(iii) the long-term plan for health care transformation through information technology; and

(E) the elimination or revision of the functions of AHIC during the development of the nationwide health information network.

SEC. 103. INTEROPERABILITY PLANNING PROCESS; FEDERAL INFORMATION COLLECTION ACTIVITIES.

Part D of title II of the Public Health Service Act, as added by section 101(a), is amended by adding at the end the following new section:

''SEC. 272. INTEROPERABILITY PLANNING PROCESS; FEDERAL INFORMATION COLLECTION ACTIVITIES.

''(a) STRATEGIC INTEROPERABILITY PLANNING PROCESS.—

''(1) ASSESSMENT AND ENDORSEMENT OF CORE STRATEGIC GUIDELINES.—

''(A) IN GENERAL.—Not later than December 31, 2006, the National Coordinator shall publish a strategic plan, including a schedule, for the assessment and the endorsement

of core interoperability guidelines for significant use cases consistent with this subsection. The National Coordinator may update such plan from time to time.

''(B) ENDORSEMENT.—

''(i) IN GENERAL.—Consistent with the schedule under this paragraph and not later than one year after the publication of such schedule, the National Coordinator shall endorse a subset of core interoperability guidelines for significant use cases. The National Coordinator shall continue to endorse subsets of core interoperability guidelines for significant use cases annually consistent with the schedule published pursuant to this paragraph, with endorsement of all such guidelines completed not later than August 31, 2009.

''(ii) CONSULTATION.—All such endorsements shall be in consultation with the American Health Information Community and other appropriate entities.

''(iii) VOLUNTARY COMPLIANCE.—Compliance with such guidelines shall be voluntary, subject to subsection (b)(1).

''(C) CONSULTATION WITH OTHER PARTIES.—The National Coordinator shall develop and implement such strategic plan in consultation with the American Health Information Community and other appropriate entities.

''(D) DEFINITIONS.—For purposes of this section:

''(i) INTEROPERABILITY GUIDELINE.—The term 'interoperability guideline' means a guideline to improve and promote the interoperability of health information technology for purposes of electronically accessing and exchanging health information. Such term includes named standards, architectures, software schemes for identification, authentication, and security, and other information needed to ensure the reproducible development of common solutions across disparate entities.

''(ii) CORE INTEROPERABILITY GUIDELINE.—The term 'core interoperability guideline' means an interoperability guideline that the National Coordinator determines is essential and necessary for purposes described in clause (i).

''(iii) SIGNIFICANT USE CASE.—The term 'significant use case' means a category (as specified by the National Coordinator) that identifies a significant use or purpose for the interoperability of health information technology, such as for the exchange of laboratory information, drug prescribing, clinical research, and electronic health records.

''(2) NATIONAL SURVEY.—

''(A) IN GENERAL.—Not later than August 31, 2008, the National Coordinator shall conduct one or more surveys designed to measure the capability of entities (including Federal agencies, State and local government agencies, and private sector entities) to exchange electronic health information by appropriate significant use case. Such surveys shall identify the extent to which the type of health information, the use for such information, or any other appropriate characterization of such information may relate to the capability of such entities to exchange health information in a manner that is consistent with methods to improve the interoperability of health information and with core interoperability guidelines.

''(B) DISSEMINATION OF SURVEY RESULTS.—The National Coordinator shall disseminate the results of such surveys in a manner so as to—

''(i) inform the public on the capabilities of entities to exchange electronic health information;

''(ii) assist in establishing a more interoperable information architecture; and

''(iii) identify the status of health information systems used in Federal agencies and the status of such systems with respect to interoperability guidelines.

''(b) FEDERAL HEALTH INFORMATION COLLECTION ACTIVITIES.—

''(1) REQUIREMENTS.—With respect to a core interoperability guideline endorsed under subsection (a)(1)(B) for a significant use case, the President shall take measures to ensure that Federal activities involving the broad collection and submission of health information are consistent with such guideline within three years after the date of such endorsement.

''(2) PROMOTING USE OF NON-IDENTIFIABLE HEALTH INFORMATION TO IMPROVE HEALTH RESEARCH AND HEALTH CARE QUALITY.—

''(A) IN GENERAL.—Where feasible, and consistent with applicable privacy or security or other laws, the President, in consultation with the Secretary, shall take measures to allow timely access to useful categories of non-identifiable health information in records maintained by the Federal government, or maintained by entities under contract with the Federal government, to advance health care quality and health research where such information is in a form that can be used in such research. The President shall consult with appropriate Federal agencies, and solicit public comment, on useful categories of information, and appropriate measures to take. The President may consider the administrative burden and the potential for improvements in health care quality in determining such appropriate measures. In addition, the President, in consultation with the Secretary, shall encourage voluntary private and public sector efforts to allow access to such useful categories of non-identifiable health information to advance health care quality and health research.

''(B) NON-IDENTIFIABLE HEALTH INFORMATION DEFINED.—For purposes of this paragraph, the term 'non-identifiable health information' means information that is not individually identifiable health information as defined in rules promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note), and includes information that has been de-identified so that it is no longer individually identifiable health information, as defined in such rules.

''(3) ANNUAL REVIEW AND REPORT.—For each year during the five-year period following the date of the enactment of this section, the National Coordinator shall review the operation of health information collection by and submission to the Federal government and the purchases (and planned purchases) of health information technology by the Federal government. For each such year and based on the review for such year, the National Coordinator shall submit to the President and Congress recommendations on methods to—

''(A) streamline (and eliminate redundancy in) Federal systems used for the collection and submission of health information;

''(B) improve efficiency in such collection and submission;

''(C) increase the ability to assess health care quality; and

''(D) reduce health care costs.''.

SEC. 104. GRANTS TO INTEGRATED HEALTH SYSTEMS TO PROMOTE HEALTH INFORMATION TECHNOLOGIES TO IMPROVE COORDINATION OF CARE FOR THE UNINSURED, UNDERINSURED, AND MEDICALLY UNDERSERVED.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) is amended by adding at the end the following:

''SEC. 330M. GRANTS FOR IMPROVEMENT OF THE COORDINATION OF CARE FOR THE UNINSURED, UNDERINSURED, AND MEDICALLY UNDERSERVED.

''(a) IN GENERAL.—The Secretary may make grants to integrated health care systems, in accordance with this section, for projects to better coordinate the provision of health care through the adoption of new health information technology, or the significant improvement of existing health information technology, to improve the provision of health care to uninsured, underinsured, and medically underserved individuals (including in urban and rural areas) through health-related information about such individuals, throughout such a system and at the point of service.

''(b) ELIGIBILITY.—

''(1) APPLICATION.—To be eligible to receive a grant under this section, an integrated health care system shall prepare and submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require, including—

''(A) a description of the project that the system will carry out using the funds provided under the grant;

''(B) a description of the manner in which the project funded under the grant will advance the goal specified in subsection (a); and

''(C) a description of the populations to be served by the adoption or improvement of health information technology.

''(2) OPTIONAL REPORTING CONDITION.—The Secretary may also condition the provision of a grant to an integrated health care system under this section for a project on the submission by such system to the Secretary of a report on the impact of the health information technology adopted (or improved) under such project on the delivery of health care and the quality of care (in accordance with applicable measures of such quality). Such report shall be at such time and in such form and manner as specified by the Secretary.

''(c) INTEGRATED HEALTH CARE SYSTEM DEFINED.—For purposes of this section, the term 'integrated health care system' means a system of health care providers that is organized to provide care in a coordinated fashion and has a demonstrated commitment to provide uninsured, underinsured, and medically underserved individuals with access to such care.

''(d) PRIORITIES.—In making grants under this section, the Secretary shall give priority to an integrated health care system—

''(1) that can demonstrate past successful community-wide efforts to improve the quality of care provided and the coordination of care for the uninsured, underinsured, and medically underserved; or

''(2) if the project to be funded through such a grant—

''(A) will improve the delivery of health care and the quality of care provided; and

''(B) will demonstrate savings for State or Federal health care benefits programs or entities legally obligated under Federal law to provide health care from the reduction of duplicative health care services, administrative costs, and medical errors.

''(e) LIMITATION, MATCHING REQUIREMENT, AND CONDITIONS.—

''(1) LIMITATION ON USE OF FUNDS.—None of the funds provided under a grant made under this section may be used for a project providing for the adoption or improvement of health information technology that is used exclusively for financial record keeping, billing, or other non-clinical applications.

''(2) MATCHING REQUIREMENT.—To be eligible for a grant under this section an integrated health care system shall contribute

non-Federal contributions to the costs of carrying out the project for which the grant is awarded in an amount equal to $1 for each $5 of Federal funds provided under the grant.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2007 and 2008.''.

SEC. 105. SMALL PHYSICIAN PRACTICE DEMONSTRATION GRANTS.

Part D of title II of the Public Health Service Act, as added by section 101(a) and amended by section 103, is amended by adding at the end the following new section:

''SEC. 273. SMALL PHYSICIAN PRACTICE DEMONSTRATION GRANTS.

''(a) IN GENERAL.—The Secretary shall establish a demonstration program under which the Secretary makes grants to small physician practices (including such practices that furnish services to individuals with chronic illnesses) that are located in rural areas or medically underserved urban areas for the purchase and support of health information technology.

''(b) ELIGIBILITY.—To be eligible to receive a grant under this section, an applicant shall prepare and submit to the Secretary an application, at such time, in such manner, and containing such information, as the Secretary may require.

''(c) REPORTING.—

''(1) REQUIRED REPORTS BY SMALL PHYSICIAN PRACTICES.—A small physician practice receiving a grant under subsection (a) shall submit to the Secretary an evaluation on the health information technology funded by such grant. Such evaluation shall include information on—

''(A) barriers to the adoption of health information technology by the small physician practice;

''(B) issues for such practice in the use of health information technology;

''(C) the effect health information technology will have on the quality of health care furnished by such practice; and

''(D) the effect of any medical liability rules on such practice.

''(2) REPORT TO CONGRESS.—Not later than January 1, 2009, the Secretary shall submit to Congress a report on the results of the demonstration program under this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2007 and 2008.''.

TITLE II—TRANSACTION STANDARDS, CODES, AND INFORMATION

SEC. 201. PROCEDURES TO ENSURE TIMELY UPDATING OF STANDARDS THAT ENABLE ELECTRONIC EXCHANGES.

Section 1174(b) of the Social Security Act (42 U.S.C. 1320d–3(b)) is amended—

(1) in paragraph (1)—

(A) in the first sentence, by inserting ''and in accordance with paragraph (3)'' before the period; and

(B) by adding at the end the following new sentence: ''For purposes of this subsection and section 1173(c)(2), the term 'modification' includes a new version or a version upgrade.''; and

(2) by adding at the end the following new paragraph:

''(3) EXPEDITED PROCEDURES FOR ADOPTION OF ADDITIONS AND MODIFICATIONS TO STANDARDS.—

''(A) IN GENERAL.—For purposes of paragraph (1), the Secretary shall provide for an expedited upgrade program (in this paragraph referred to as the 'upgrade program'), in accordance with this paragraph, to develop and approve additions and modifications to the standards adopted under section 1173(a) to improve the quality of such standards or to extend the functionality of such standards to meet evolving requirements in health care.

''(B) PUBLICATION OF NOTICES.—Under the upgrade program:

''(i) VOLUNTARY NOTICE OF INITIATION OF PROCESS.—Not later than 30 days after the date the Secretary receives a notice from a standard setting organization that the organization is initiating a process to develop an addition or modification to a standard adopted under section 1173(a), the Secretary shall publish a notice in the Federal Register that—

''(I) identifies the subject matter of the addition or modification;

''(II) provides a description of how persons may participate in the development process; and

''(III) invites public participation in such process.

''(ii) VOLUNTARY NOTICE OF PRELIMINARY DRAFT OF ADDITIONS OR MODIFICATIONS TO STANDARDS.—Not later than 30 days after the date of the date the Secretary receives a notice from a standard setting organization that the organization has prepared a preliminary draft of an addition or modification to a standard adopted by section 1173(a), the Secretary shall publish a notice in the Federal Register that—

''(I) identifies the subject matter of (and summarizes) the addition or modification;

''(II) specifies the procedure for obtaining the draft;

''(III) provides a description of how persons may submit comments in writing and at any public hearing or meeting held by the organization on the addition or modification; and

''(IV) invites submission of such comments and participation in such hearing or meeting without requiring the public to pay a fee to participate.

''(iii) NOTICE OF PROPOSED ADDITION OR MODIFICATION TO STANDARDS.—Not later than 30 days after the date of the date the Secretary receives a notice from a standard setting organization that the organization has a proposed addition or modification to a standard adopted under section 1173(a) that the organization intends to submit under subparagraph (D)(iii), the Secretary shall publish a notice in the Federal Register that contains, with respect to the proposed addition or modification, the information required in the notice under clause (ii) with respect to the addition or modification.

''(iv) CONSTRUCTION.—Nothing in this paragraph shall be construed as requiring a standard setting organization to request the notices described in clauses (i) and (ii) with respect to an addition or modification to a standard in order to qualify for an expedited determination under subparagraph (C) with respect to a proposal submitted to the Secretary for adoption of such addition or modification.

''(C) PROVISION OF EXPEDITED DETERMINATION.—Under the upgrade program and with respect to a proposal by a standard setting organization for an addition or modification to a standard adopted under section 1173(a), if the Secretary determines that the standard setting organization developed such addition or modification in accordance with the requirements of subparagraph (D) and the National Committee on Vital and Health Statistics recommends approval of such addition or modification under subparagraph (E), the Secretary shall provide for expedited treatment of such proposal in accordance with subparagraph (F).

''(D) REQUIREMENTS.—The requirements under this subparagraph with respect to a proposed addition or modification to a standard by a standard setting organization are the following:

''(i) REQUEST FOR PUBLICATION OF NOTICE.—The standard setting organization submits to the Secretary a request for publication in the Federal Register of a notice described in subparagraph (B)(iii) for the proposed addition or modification.

''(ii) PROCESS FOR RECEIPT AND CONSIDERATION OF PUBLIC COMMENT.—The standard setting organization provides for a process through which, after the publication of the notice referred to under clause (i), the organization—

''(I) receives and responds to public comments submitted on a timely basis on the proposed addition or modification before submitting such proposed addition or modification to the National Committee on Vital and Health Statistics under clause (iii);

''(II) makes publicly available a written explanation for its response in the proposed addition or modification to comments submitted on a timely basis; and

''(III) makes public comments received under clause (I) available, or provides access to such comments, to the Secretary.

''(iii) SUBMITTAL OF FINAL PROPOSED ADDITION OR MODIFICATION TO NCVHS.—After completion of the process under clause (ii), the standard setting organization submits the proposed addition or modification to the National Committee on Vital and Health Statistics for review and consideration under subparagraph (E). Such submission shall include information on the organization's compliance with the notice and comment requirements (and responses to those comments) under clause (ii).

''(E) HEARING AND RECOMMENDATIONS BY NATIONAL COMMITTEE ON VITAL AND HEALTH STATISTICS.—Under the upgrade program, upon receipt of a proposal submitted by a standard setting organization under subparagraph (D)(iii) for the adoption of an addition or modification to a standard, the National Committee on Vital and Health Statistics shall provide notice to the public and a reasonable opportunity for public testimony at a hearing on such addition or modification. The Secretary may participate in such hearing in such capacity (including presiding ex officio) as the Secretary shall determine appropriate. Not later than 120 days after the date of receipt of the proposal, the Committee shall submit to the Secretary its recommendation to adopt (or not adopt) the proposed addition or modification.

''(F) DETERMINATION BY SECRETARY TO ACCEPT OR REJECT NATIONAL COMMITTEE ON VITAL AND HEALTH STATISTICS RECOMMENDATION.—

''(i) TIMELY DETERMINATION.—Under the upgrade program, if the National Committee on Vital and Health Statistics submits to the Secretary a recommendation under subparagraph (E) to adopt a proposed addition or modification, not later than 90 days after the date of receipt of such recommendation the Secretary shall make a determination to accept or reject the recommendation and shall publish notice of such determination in the Federal Register not later than 30 days after the date of the determination.

''(ii) CONTENTS OF NOTICE.—If the determination is to reject the recommendation, such notice shall include the reasons for the rejection. If the determination is to accept the recommendation, as part of such notice the Secretary shall promulgate the modified standard (including the accepted proposed addition or modification accepted) as a final rule under this subsection without any further notice or public comment period.

''(iii) LIMITATION ON CONSIDERATION.—The Secretary shall not consider a proposal under this subparagraph unless the Secretary determines that the requirements of subparagraph (D) (including publication of notice and opportunity for public comment) have been met with respect to the proposal.

''(G) EXEMPTION FROM PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to a final rule promulgated under subparagraph (F).

''(H) TREATMENT AS SATISFYING REQUIREMENTS FOR NOTICE-AND-COMMENT.—Any requirements under section 553 of title 5, United States Code, relating to notice and an opportunity for public comment with respect to a final rule promulgated under subparagraph (F) shall be treated as having been met by meeting the requirements of the notice and opportunity for public comment provided under provisions of subparagraphs (B)(iii), (D), and (E).

''(I) NO JUDICIAL REVIEW.—A final rule promulgated under subparagraph (F) shall not be subject to judicial review.''.

SEC. 202. UPGRADING ASC X12 AND NCPDP STANDARDS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall provide by notice published in the Federal Register for the following replacements of standards to apply to transactions occurring on or after April 1, 2009:

(1) ACCREDITED STANDARDS COMMITTEE X12 (ASC X12) STANDARD.—The replacement of the Accredited Standards Committee X12 (ASC X12) version 4010 adopted under section 1173(a) of such Act (42 U.S.C. 1320d-2(a)) with the ASC X12 version 5010, as reviewed by the National Committee on Vital Health Statistics.

(2) NATIONAL COUNCIL FOR PRESCRIPTION DRUG PROGRAMS (NCPDP) TELECOMMUNICATIONS STANDARDS.—The replacement of the National Council for Prescription Drug Programs (NCPDP) Telecommunications Standards version 5.1 adopted under section 1173(a) of such Act (42 U.S.C. 1320d–2(a)) with whichever is the latest version of the NCPDP Telecommunications Standards that has been approved by such Council and reviewed by the National Committee on Vital Health Statistics as of April 1, 2007.

(b) NO JUDICIAL REVIEW.—The implementation of subsection (a), including the determination of the latest version under subsection (a)(2), shall not be subject to judicial review.

SEC. 203. UPGRADING ICD CODES; CODING AND DOCUMENTATION OF NON-MEDICAL INFORMATION.

(a) UPGRADING ICD CODES.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall provide by notice published in the Federal Register for the replacement of the International Classification of Diseases, 9th revision, Clinical Modification (ICD–9-CM) under the regulation promulgated under section 1173(c) of the Social Security Act (42 U.S.C. 1320d–2(c)), including for purposes of part A of title XVIII of such Act, with both of the following:

(A) The International Classification of Diseases, 10th revision, Clinical Modification (ICD–10-CM).

(B) The International Classification of Diseases, 10th revision, Procedure Coding System (ICD–10-PCS).

(2) APPLICATION.—The replacement made by paragraph (1) shall apply, for purposes of section 1175(b)(2) of the Social Security Act (42 U.S.C. 1320d–4(b)(2)), to services furnished on or after October 1, 2010.

(3) RULES OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed—

(A) as affecting the application of classification methodologies or codes, such as CPT or HCPCS codes, other than under the International Classification of Diseases (ICD); or

(B) as superseding the authority of the Secretary of Health and Human Services to maintain and modify the coding set for ICD–10-CM and ICD–10-PCS, including under the amendments made by section 201.

(b) CODING AND DOCUMENTATION OF NON-MEDICAL INFORMATION.—In any regulation or other action implementing the International Classification of Diseases, 10th revision, Clinical Modification (ICD–10-CM), the International Classification of Diseases, 10th revision, Procedure Coding System (ICD–10-PCS), or other version of the International Classification of Diseases, 10th revision, the Secretary of Health and Human Services shall ensure that no health care provider is required to code to a level of specificity that would require documentation of non-medical information on the external cause of any given type of injury.

SEC. 204. STRATEGIC PLAN FOR COORDINATING IMPLEMENTATION OF TRANSACTION STANDARDS AND ICD CODES.

Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services, in consultation with relevant public and private entities, shall develop a strategic plan with respect to the need for coordination in the implementation of—

(1) transaction standards under section 1173(a) of the Social Security Act, including modifications to such standards under section 1174(b)(3) of such Act, as added by section 201; and

(2) any updated versions of the International Classification of Diseases (ICD), including the replacement of ICD–9 provided for under section 203(a).

SEC. 205. STUDY AND REPORT TO DETERMINE IMPACT OF VARIATION AND COMMONALITY IN STATE HEALTH INFORMATION LAWS AND REGULATIONS.

Part C of title XI of the Social Security Act is amended by adding at the end the following new section:

''STUDY AND REPORT TO DETERMINE IMPACT OF VARIATION AND COMMONALITY IN STATE HEALTH INFORMATION LAWS AND REGULATIONS

''SEC. 1180. (a) STUDY.—For purposes of promoting the development of a nationwide interoperable health information technology infrastructure consistent with section 271(b) of the Public Health Service Act, the Secretary shall conduct a study of the impact of variation in State security and confidentiality laws and current Federal security and confidentiality standards on the timely exchanges of health information in order to ensure the availability of health information necessary to make medical decisions at the location in which the medical care involved is provided. Such study shall examine—

''(1)(A) the degree of variation and commonality among the requirements of such laws for States; and

''(B) the degree of variation and commonality between the requirements of such laws and the current Federal standards;

''(2) insofar as there is variation among and between such requirements, the strengths and weaknesses of such requirements; and

''(3) the extent to which such variation may adversely impact the secure, confidential, and timely exchange of health information among States, the Federal government, and public and private entities, or may otherwise impact the reliability of such information.

''(b) REPORT.—Not later than 18 months after the date of the enactment of this section, the Secretary shall submit to Congress a report on the study under subsection (a) and shall include in such report the following:

''(1) ANALYSIS OF NEED FOR GREATER COMMONALITY.—A determination by the Secretary on the extent to which there is a need for greater commonality of the requirements of State security and confidentiality laws and current Federal security and confidentiality standards to better protect, strengthen, or otherwise improve the secure, confidential, and timely exchange of health information among States, the Federal government, and public and private entities.

''(2) RECOMMENDATIONS FOR GREATER COMMONALITY.—Insofar as the Secretary determines under paragraph (1) that there is a need for greater commonality of such requirements, recommendations on the extent to which (and how) the current Federal security and confidentiality standards should be changed in order to provide the commonality needed to better protect, strengthen, or otherwise improve the secure, confidential, and timely exchange of health information.

''(3) SPECIFIC RECOMMENDATION ON LEGISLATIVE CHANGES FOR GREATER COMMONALITY.—A specific recommendation on the extent to which and how such standards should supersede State laws, in order to provide the commonality needed to better protect or strengthen the security and confidentiality of health information in the timely exchange of such information and legislative language in the form of a bill to effectuate such specific recommendation.

''(c) CONGRESSIONAL CONSIDERATION OF LEGISLATION PROVIDING FOR GREATER COMMONALITY.—

''(1) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by the Congress—

''(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a greater commonality bill defined in paragraph (4), and they supersede other rules only to the extent that they are inconsistent therewith; and

''(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

''(2) INTRODUCTION.—On the date on which the final report is submitted under subsection (b)(3)—

''(A) a greater commonality bill shall be introduced (by request) in the House by the majority leader of the House, for himself and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and

''(B) a greater commonality bill shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate.

If either House is not in session on the day on which such a report is submitted, the greater commonality bill shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which the House is in session.

''(3) REFERRAL.—A greater commonality bill shall be referred by the Presiding Officers of the respective House to the appropriate committee (or committees) of such House, in accordance with the rules of that House.

''(4) GREATER COMMONALITY BILL DEFINED.—For purposes of this section, the term 'greater commonality bill' means a bill—

''(A) the title of which is the following: 'A Bill to provide the commonality needed to better protect, strengthen, or otherwise improve the secure, confidential, and timely exchange of health information'; and

''(B) the text of which, as introduced, consists of the text of the bill included in the report submitted under subsection (b)(3).

''(d) DEFINITIONS.—For purposes of this section:

''(1) CURRENT FEDERAL SECURITY AND CONFIDENTIALITY STANDARDS.—The term 'current Federal security and confidentiality standards' means the Federal privacy standards established pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note) and security standards established under section 1173(d) of the Social Security Act.

''(2) STATE.—The term 'State' has the meaning given such term when used in title XI of the Social Security Act, as provided under section 1101(a) of such Act (42 U.S.C. 1301(a)).

''(3) STATE SECURITY AND CONFIDENTIALITY LAWS.—The term 'State security and confidentiality laws' means State laws and regulations relating to the privacy and confidentiality of health information or to the security of such information.''.

TITLE III—PROMOTING THE USE OF HEALTH INFORMATION TECHNOLOGY TO BETTER COORDINATE HEALTH CARE

SEC. 301. SAFE HARBORS TO ANTIKICKBACK CIVIL PENALTIES AND CRIMINAL PENALTIES FOR PROVISION OF HEALTH INFORMATION TECHNOLOGY AND TRAINING SERVICES.

(a) FOR CIVIL PENALTIES.—Section 1128A of the Social Security Act (42 U.S.C. 1320a–7a) is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(4) For purposes of this subsection, inducements to reduce or limit services described in paragraph (1) shall not include the practical or other advantages resulting from health information technology or related installation, maintenance, support, or training services.''; and

(2) in subsection (i), by adding at the end the following new paragraph:

''(8) The term 'health information technology' means hardware, software, license, right, intellectual property, equipment, or other information technology (including new versions, upgrades, and connectivity) designed or provided primarily for the electronic creation, maintenance, or exchange of health information to better coordinate care or improve health care quality, efficiency, or research.''.

(b) FOR CRIMINAL PENALTIES.—Section 1128B of such Act (42 U.S.C. 1320a–7b) is amended—

(1) in subsection (b)(3)—

(A) in subparagraph (G), by striking ''and'' at the end;

(B) in the subparagraph (H) added by section 237(d) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2213)—

(i) by moving such subparagraph 2 ems to the left; and

(ii) by striking the period at the end and inserting a semicolon;

(C) in the subparagraph (H) added by section 431(a) of such Act (117 Stat. 2287)—

(i) by redesignating such subparagraph as subparagraph (I);

(ii) by moving such subparagraph 2 ems to the left; and

(iii) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following new subparagraph:

''(J) any nonmonetary remuneration (in the form of health information technology, as defined in section 1128A(i)(8), or related installation, maintenance, support or training services) made to a person by a specified entity (as defined in subsection (g)) if—

''(i) the provision of such remuneration is without an agreement between the parties or legal condition that—

''(I) limits or restricts the use of the health information technology to services provided by the physician to individuals receiving services at the specified entity;

''(II) limits or restricts the use of the health information technology in conjunction with other health information technology; or

''(III) conditions the provision of such remuneration on the referral of patients or business to the specified entity;

''(ii) such remuneration is arranged for in a written agreement that is signed by the parties involved (or their representatives) and that specifies the remuneration solicited or received (or offered or paid) and states that the provision of such remuneration is made for the primary purpose of better coordination of care or improvement of health quality, efficiency, or research; and

''(iii) the specified entity providing the remuneration (or a representative of such entity) has not taken any action to disable any basic feature of any hardware or software component of such remuneration that would permit interoperability.''; and

(2) by adding at the end the following new subsection:

''(g) SPECIFIED ENTITY DEFINED.—For purposes of subsection (b)(3)(J), the term 'specified entity' means an entity that is a hospital, group practice, prescription drug plan sponsor, a Medicare Advantage organization, or any other such entity specified by the Secretary, considering the goals and objectives of this section, as well as the goals to better coordinate the delivery of health care and to promote the adoption and use of health information technology.''.

(c) EFFECTIVE DATE AND EFFECT ON STATE LAWS.—

(1) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 120 days after the date of the enactment of this Act.

(2) PREEMPTION OF STATE LAWS.—No State (as defined in section 1101(a) of the Social Security Act (42 U.S.C. 1301(a)) for purposes of title XI of such Act) shall have in effect a State law that imposes a criminal or civil penalty for a transaction described in section 1128A(b)(4) or section 1128B(b)(3)(J) of such Act, as added by subsections (a)(1) and (b), respectively, if the conditions described in the respective provision, with respect to such transaction, are met.

(d) STUDY AND REPORT TO ASSESS EFFECT OF SAFE HARBORS ON HEALTH SYSTEM.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study to determine the impact of each of the safe harbors described in paragraph (3). In particular, the study shall examine the following:

(A) The effectiveness of each safe harbor in increasing the adoption of health information technology.

(B) The types of health information technology provided under each safe harbor.

(C) The extent to which the financial or other business relationships between providers under each safe harbor have changed as a result of the safe harbor in a way that adversely affects or benefits the health care system or choices available to consumers.

(D) The impact of the adoption of health information technology on health care quality, cost, and access under each safe harbor.

(2) REPORT.—Not later than three years after the effective date described in subsection (c)(1), the Secretary of Health and Human Services shall submit to Congress a report on the study under paragraph (1).

(3) SAFE HARBORS DESCRIBED.—For purposes of paragraphs (1) and (2), the safe harbors described in this paragraph are—

(A) the safe harbor under section 1128A(b)(4) of such Act (42 U.S.C. 1320a–7a(b)(4)), as added by subsection (a)(1); and

(B) the safe harbor under section 1128B(b)(3)(J) of such Act (42 U.S.C. 1320a–7b(b)(3)(J)), as added by subsection (b).

SEC. 302. EXCEPTION TO LIMITATION ON CERTAIN PHYSICIAN REFERRALS (UNDER STARK) FOR PROVISION OF HEALTH INFORMATION TECHNOLOGY AND TRAINING SERVICES TO HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—Section 1877(b) of the Social Security Act (42 U.S.C. 1395nn(b)) is amended by adding at the end the following new paragraph:

''(6) INFORMATION TECHNOLOGY AND TRAINING SERVICES.—

''(A) IN GENERAL.—Any nonmonetary remuneration (in the form of health information technology or related installation, maintenance, support or training services) made by a specified entity to a physician if—

''(i) the provision of such remuneration is without an agreement between the parties or legal condition that—

''(I) limits or restricts the use of the health information technology to services provided by the physician to individuals receiving services at the specified entity;

''(II) limits or restricts the use of the health information technology in conjunction with other health information technology; or

''(III) conditions the provision of such remuneration on the referral of patients or business to the specified entity;

''(ii) such remuneration is arranged for in a written agreement that is signed by the parties involved (or their representatives) and that specifies the remuneration made and states that the provision of such remuneration is made for the primary purpose of better coordination of care or improvement of health quality, efficiency, or research; and

''(iii) the specified entity (or a representative of such entity) has not taken any action to disable any basic feature of any hardware or software component of such remuneration that would permit interoperability.

''(B) HEALTH INFORMATION TECHNOLOGY DEFINED.—For purposes of this paragraph, the term 'health information technology' means hardware, software, license, right, intellectual property, equipment, or other information technology (including new versions, upgrades, and connectivity) designed or provided primarily for the electronic creation, maintenance, or exchange of health information to better coordinate care or improve health care quality, efficiency, or research.

''(C) SPECIFIED ENTITY DEFINED.—For purposes of this paragraph, the term 'specified entity' means an entity that is a hospital, group practice, prescription drug plan sponsor, a Medicare Advantage organization, or any other such entity specified by the Secretary, considering the goals and objectives of this section, as well as the goals to better coordinate the delivery of health care and to promote the adoption and use of health information technology.''.

(b) EFFECTIVE DATE; EFFECT ON STATE LAWS.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 120 days after the date of the enactment of this Act.

(2) PREEMPTION OF STATE LAWS.—No State (as defined in section 1101(a) of the Social Security Act (42 U.S.C. 1301(a)) for purposes of title XI of such Act) shall have in effect a State law that imposes a criminal or civil penalty for a transaction described in section 1877(b)(6) of such Act, as added by subsection (a), if the conditions described in such section, with respect to such transaction, are met.

(c) STUDY AND REPORT TO ASSESS EFFECT OF EXCEPTION ON HEALTH SYSTEM.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study to determine the impact of the exception under section 1877(b)(6) of such Act (42 U.S.C. 1395nn(b)(6)), as added by subsection (a). In particular, the study shall examine the following:

(A) The effectiveness of the exception in increasing the adoption of health information technology.

(B) The types of health information technology provided under the exception.

(C) The extent to which the financial or other business relationships between providers under the exception have changed as a result of the exception in a way that adversely affects or benefits the health care system or choices available to consumers.

(D) The impact of the adoption of health information technology on health care quality, cost, and access under the exception.

(2) REPORT.—Not later than three years after the effective date described in subsection (b)(1), the Secretary of Health and Human Services shall submit to Congress a report on the study under paragraph (1).

SEC. 303. RULES OF CONSTRUCTION REGARDING USE OF CONSORTIA.

(a) APPLICATION TO SAFE HARBOR FROM CRIMINAL PENALTIES.—Section 1128B(b)(3) of the Social Security Act (42 U.S.C. 1320a–7b(b)(3)) is amended by adding after and below subparagraph (J), as added by section 301(b)(1), the following: ''For purposes of subparagraph (J), nothing in such subparagraph shall be construed as preventing a specified entity, consistent with the specific requirements of such subparagraph, from forming a consortium composed of health care providers, payers, employers, and other interested entities to collectively purchase and donate health information technology, or from offering health care providers a choice of health information technology products in order to take into account the varying needs of such providers receiving such products.''.

(b) APPLICATION TO STARK EXCEPTION.—Paragraph (6) of section 1877(b) of the Social Security Act (42 U.S.C. 1395nn(b)), as added by section 302(a), is amended by adding at the end the following new subparagraph:

''(D) RULE OF CONSTRUCTION.—For purposes of subparagraph (A), nothing in such subparagraph shall be construed as preventing a specified entity, consistent with the specific requirements of such subparagraph, from—

''(i) forming a consortium composed of health care providers, payers, employers, and other interested entities to collectively purchase and donate health information technology; or

''(ii) offering health care providers a choice of health information technology products in order to take into account the varying needs of such providers receiving such products.''.

TITLE IV—ADDITIONAL PROVISIONS

SEC. 401. PROMOTION OF TELEHEALTH SERVICES.

(a) FACILITATING THE PROVISION OF TELEHEALTH SERVICES ACROSS STATE LINES.—The Secretary of Health and Human Services shall, in coordination with physicians, health care practitioners, patient advocates, and representatives of States, encourage and facilitate the adoption of State reciprocity agreements for practitioner licensure in order to expedite the provision across State lines of telehealth services.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the actions taken to carry out subsection (a).

(c) STATE DEFINED.—For purposes of this subsection, the term ''State'' has the meaning given that term for purposes of title XVIII of the Social Security Act.

SEC. 402. STUDY AND REPORT ON EXPANSION OF HOME HEALTH-RELATED TELEHEALTH SERVICES.

(a) STUDY.—The Secretary of Health and Human Services shall conduct a study to determine the feasibility, advisability, and the costs of—

(1) including coverage and payment for home health-related telehealth services as part of home health services under title XVIII of the Social Security Act; and

(2) expanding the list of sites described in paragraph (4)(C)(ii) of section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) to include county mental health clinics or other publicly funded mental health facilities for the purpose of payment under such section for the provision of telehealth services at such clinics or facilities.

(b) SPECIFICS OF STUDY.—Such study shall demonstrate whether the changes described in paragraphs (1) and (2) of subsection (a) will result in the following:

(1) Enhanced health outcomes for individuals with one or more chronic conditions.

(2) Health outcomes for individuals furnished telehealth services or home health-related telehealth services that are at least comparable to the health outcomes for individuals furnished similar items and services by a health care provider at the same location of the individual or at the home of the individual, respectively.

(3) Facilitation of communication of more accurate clinical information between health care providers.

(4) Closer monitoring of individuals by health care providers.

(5) Overall reduction in expenditures for health care items and services.

(6) Improved access to health care.

(c) HOME HEALTH-RELATED TELEHEALTH SERVICES DEFINED.—For purposes of this section, the term ''home health-related telehealth services'' means technology-based professional consultations, patient monitoring, patient training services, clinical observation, patient assessment, and any other health services that utilize telecommunications technologies. Such term does not include a telecommunication that consists solely of a telephone audio conversation, facsimile, electronic text mail, or consultation between two health care providers.

(d) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the study conducted under subsection (a) and shall include in such report such recommendations for legislation or administration action as the Secretary determines appropriate.

SEC. 403. STUDY AND REPORT ON STORE AND FORWARD TECHNOLOGY FOR TELEHEALTH.

(a) STUDY.—The Secretary of Health and Human Services, acting through the Director of the Office for the Advancement of Telehealth, shall conduct a study on the use of store and forward technologies (that provide for the asynchronous transmission of health care information in single or multimedia formats) in the provision of telehealth services. Such study shall include an assessment of the feasibility, advisability, and the costs of expanding the use of such technologies for use in the diagnosis and treatment of certain conditions.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the study conducted under subsection (a) and shall include in such report such recommendations for legislation or administration action as the Secretary determines appropriate.

SEC. 404. ENSURING HEALTH CARE PROVIDERS PARTICIPATING IN PHSA PROGRAMS, MEDICAID, SCHIP, OR THE MCH PROGRAM MAY MAINTAIN HEALTH INFORMATION IN ELECTRONIC FORM.

Part D of title II of the Public Health Service Act, as added by section 101(a) and amended by sections 103 and 105, is further amended by adding at the end the following new section:

''SEC. 274. ENSURING HEALTH CARE PROVIDERS MAY MAINTAIN HEALTH INFORMATION IN ELECTRONIC FORM.

''(a) IN GENERAL.—Any health care provider that participates in a health care program that receives Federal funds under this Act, or under title V, XIX, or XXI of the Social Security Act, shall be deemed as meeting any requirement for the maintenance of data in paper form under such program (whether or not for purposes of management, billing, reporting, reimbursement, or otherwise) if the required data is maintained in an electronic form.

''(b) RELATION TO STATE LAWS.—Beginning on the date that is one year after the date of the enactment of this section, subsection (a) shall supersede any contrary provision of State law.

''(c) CONSTRUCTION.—Nothing in this section shall be construed as—

''(1) requiring health care providers to maintain or submit data in electronic form;

''(2) preventing a State from permitting health care providers to maintain or submit data in paper form; or

''(3) preventing a State from requiring health care providers to maintain or submit data in electronic form.''.

SEC. 405. ENSURING HEALTH CARE PROVIDERS PARTICIPATING IN THE MEDICARE PROGRAM MAY MAINTAIN HEALTH INFORMATION IN ELECTRONIC FORM.

Section 1871 of the Social Security Act (42 U.S.C. 1395hh) is amended by adding at the end the following new subsection:

''(g)(1) Any provider of services or supplier shall be deemed as meeting any requirement for the maintenance of data in paper form under this title (whether or not for purposes of management, billing, reporting, reimbursement, or otherwise) if the required data is maintained in an electronic form.

''(2) Nothing in this subsection shall be construed as requiring health care providers to maintain or submit data in electronic form.''.

SEC. 406. STUDY AND REPORT ON STATE, REGIONAL, AND COMMUNITY HEALTH INFORMATION EXCHANGES.

(a) STUDY.—The Secretary of Health and Human Services shall conduct a study on issues related to the development, operation, and implementation of State, regional, and community health information exchanges. Such study shall include the following, with respect to such health information exchanges:

(1) Profiles detailing the current stages of such health information exchanges with respect to the progression of the development, operation, implementation, organization, and governance of such exchanges.

(2) The impact of such exchanges on healthcare quality, safety, and efficiency, including—

(A) any impact on the coordination of health information and services across healthcare providers and other organizations relevant to health care;

(B) any impact on the availability of health information at the point-of-care to make timely medical decisions;

(C) any benefits with respect to the promotion of wellness, disease prevention, and chronic disease management;

(D) any improvement with respect to public health preparedness and response;

(E) any impact on the widespread adoption of interoperable health information technology, including electronic health records;

(F) any contributions to achieving an Internet-based national health information network;

(G) any contribution of health information exchanges to consumer access and to consumers' use of their health information; and

(H) any impact on the operation of—

(i) the Medicaid and Medicare programs;

(ii) the State Children's Health Insurance Program (SCHIP);

(iii) disproportionate share hospitals described in section 1923 of the Social Security Act;

(iv) Federally-qualified health centers; or

(v) managed care plans, if a significant number of the plan's enrollees are beneficiaries in the Medicaid program or SCHIP.

(3) Best practice models for financing, incentivizing, and sustaining such health information exchanges.

(4) Information identifying the common principles, policies, tools, and standards used (or proposed) in the public and private sectors to support the development, operation, and implementation of such health information exchanges.

(5) A description of any areas in which Federal government leadership is needed to support growth and sustainability of such health information exchanges.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the study described in subsection (a), including such recommendations as the Secretary determines appropriate to facilitate the development, operation, and implementation of health information exchanges.

The CHAIRMAN. No further amendment to the bill, as amended, is in order except those printed in part C of the report. Each amendment may be offered only in the order printed in the report, by a member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HINOJOSA

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in part C of House Report 109–603.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HINOJOSA:

In section 271(b)(8) of the Public Health Service Act, as added by section 101(a) of the Bill, strike ''is consistent'' and insert ''provides for the confidentiality and security of individually identifiable health information, consistent''.

In section 271(b) of the Public Health Service Act, as added by section 101(a) of the Bill, strike ''and'' at the end of paragraph (11), strike the period at the end of paragraph (12) and insert ''; and'', and add at the end the following new paragraph:

''(13) improves the availability of information and resources for individuals with low or limited literacy or language skills.''.

The CHAIRMAN. Pursuant to House Resolution 952, the gentleman from Texas (Mr. HINOJOSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I rise today to offer an amendment to help ensure equal access to our health care system. All too often a lack of education can limit the quality of life of an individual. This is especially true when considering issues that govern one's health and well being.

To change this fact, I am offering an amendment that would help ensure that all citizens would benefit from advances in our medical technology and new information. My amendment directs the national coordinator for the health information technology to increase information and medical resources for individuals with low literacy.

Passage of this amendment would create a new national priority for bridging the literacy gap in health care resources and assign responsibility of that goal to the new national coordinator.

The new priority is especially important in the race to cure diabetes. In my congressional district, over 100,000 individuals suffer from this disease. And while our Nation is constantly working to find new ways of combating diabetes, most of those inventions rely heavily on medical technology that requires its users to have a certain level of mathematical skills, access to the Internet, and in some cases, at a minimum, a high school level of literacy.

While at first these requirements may seem ordinary and readily available, in districts such as mine, this is all but impossible. It is impossible because a large number of citizens who suffer from diabetes are undereducated, or they are elderly and lack computer skills. In some cases they live in poverty.

Simply put, the most effective treatments for individuals with diabetes and other illnesses remain out of the reach of citizens who need it most. Due to the lack of focus and the creation of our technology, millions die each year.

Additionally, according to a study sponsored by the American Diabetes Association, an organization that has endorsed this amendment, our Nation pays over $100 billion a year in lost wages, lost productivity, emergency room visits and care.

A clear example of what is at risk if we fail to launch an aggressive effort geared at removing literacy barriers to health care information and technology can be witnessed in my own district's 41 percent diabetes mortality rate.

That means that due to health care literacy barriers, one in two citizens diagnosed with diabetes in my district will die from diabetes complications.

To help change this fact, I urge my colleagues to support this amendment.

Mr. Chairman, may I inquire how much time I have remaining.

The CHAIRMAN. The gentleman has 2 minutes remaining.

Does any Member claim time in opposition to the amendment?

Mrs. JOHNSON of Connecticut. Mr. Chairman, I claim time in opposition to the amendment. I don't intend to oppose the amendment. I am just claiming the time.

The CHAIRMAN. Without objection, the gentlewoman from Connecticut will control 5 minutes.

There was no objection.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I think the gentleman's amendment points out why health information technology is so terribly important to making the next leap forward in quality that medical science has made available to us.

It will take a lot more teaching of patients. It will take a much different relationship between nurses and medical personnel and patients to make sure that they have the guidance and support they need to prevent their disease from getting worse or to follow a regimen that will prevent their chronic illness from compromising their lives.

□ 1430

So this issue of communication is going to be a bigger issue in the next round of the American health care system even than it is today.

But I would like to yield to the gentleman from Pennsylvania for some questions.

Mr. MURPHY. I thank the gentlewoman, and I have a question for the distinguished gentleman from Texas just to help clarify this, because my assumption is the amendment would be one that would help those who have problems with illiteracy or language skills, perhaps English language is not of good grasp to them and they may be in a hospital where the staff may not be aware of that, and one of the importance of an electronic medical record is the files would be there on record. So even if the person had limited abilities, the doctor would have access. But I want to just ask a clarifying question to make sure this is what you meant by this amendment.

By this, I am assuming it is not a matter that would impede in any way the doctor's ability to have information on record, that would have swift and high standards of medical care there, in no way would this impede; such as the records would have to be written in multiple languages for doctors who wouldn't necessarily understand that. I am assuming that is the case in this, that you are saying that the best interest of the patient is what you have in mind here so that the records are always available, that the doctor could understand them clearly even if the patient has difficulty communicating. Am I correct in that, sir?

Mr. HINOJOSA. In my opinion, if the patient gives permission that that information be released, I have no problem with that.

Mr. MURPHY. I am assuming that is what you meant. It is important that hospitals not see this as something that they, for example, have to constantly rewrite records in ways that would impair understanding between physicians as well. And along those lines, I think it is an excellent idea to provide it, because it does provide access of information for the doctors.

Mr. HINOJOSA. If the gentleman will allow me to explain. I think that the intent of my amendment is to be able to acknowledge that there are people out there who can not get one of these new machines that we use now to measure the glucose, if I am a diabetic, and be able to take it and follow the instructions if they are limited English proficient, for example. In many cases, the lower the level of education attainment, the more difficult it is to use some of this modern equipment that is available in technology. And so the intent of Congress would be to address that group, regardless of the size, the percentage of people who need that extra assistance with the training necessary to use the modern equipment.

Mr. MURPHY. Reclaiming my time, that makes sense, because I work with many patients who are disabled, who have literacy problems, and it is important that the medical community works to help those patients. I just want to make sure also the electronic medical records then serve both purposes, to help those patients, but certainly to make sure the primary aspects of having the medical records there electronically is to help doctors communicate quickly and swiftly with accurate data. Along those lines, I think it is an excellent idea.

Mr. HINOJOSA. Mr. Chairman, I would like to hear Congresswoman NANCY JOHNSON's thoughts on being able to work with us on this amendment, because it is very important not only in South Texas, but throughout the country.

Mrs. JOHNSON of Connecticut. Mr. Chairman, we certainly are willing to accept the gentleman's amendment. It is a very thoughtful and important one.

Mr. HINOJOSA. I thank the gentlewoman for accepting this amendment and working with me to eliminate the literacy barriers from our health care system.

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

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HINOJOSA).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. TOWNS

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in part C of House Report 109–603.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TOWNS:

Add at the end of section 101 the following:

(d) STUDY OF HEALTH INFORMATION TECHNOLOGY IN MEDICALLY UNDERSERVED COMMUNITIES.—

(1) STUDY.—The National Coordinator for Health Information Technology shall conduct a study on the development and implementation of health information technology in medically underserved communities. The study shall—

(A) identify barriers to successful implementation of health information technology in these communities;

(B) examine the impact of health information technology on providing quality care and reducing the cost of care to these communities;

(C) examine urban and rural community health systems and determine the impact that health information technology may have on the capacity of primary health providers; and

(D) assess the feasibility and the costs associated with the use of health information technology in these communities.

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the National Coordinator shall submit to Congress a report on the study conducted under paragraph (1) and shall include in such report such recommendations for legislation or administrative action as the Coordinator determines appropriate.

The CHAIRMAN. Pursuant to House Resolution 952, the gentleman from New York (Mr. TOWNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TOWNS. Mr. Chairman, I am really concerned that, in implementing any health information technology initiative, that we will not have the best information to address the needs of medically underserved areas. My amendment to H.R. 4157 creates a critically important study that would give us the benchmarks to use in implementing this technology in these communities, both urban and rural.

First, the proposed study will examine and determine the impact of health information technology on improving the capacity of primary care providers in medically underserved communities.

Second, the study would identify the barriers to the implementation of health information technology in these communities.

Third, the study will assess the feasibility and costs associated with implementing health information technology in these communities.

Some of the Nation's finest foundations have done tremendous work in how health information technology can be used in hard-to-reach and difficult areas to serve in our Nation. They include the Markle Foundation, the Robert Wood Johnson Foundation, and the Henry J. Kaiser Family Foundation. We want to incorporate this work and other's work done by the Agency For Health Care Research and Quality, and make sure it is applied to the development and implementation of health information technology and medically underserved areas.

For these reasons, Mr. Speaker, I believe that this study is vital to the assessment, examination, and implementation of health information, technology in medically underserved areas in this Nation. And I do believe that my amendment adds considerable value to the health information technology bill. I have worked in a bipartisan fashion on this bill with Representative FERGUSON of New Jersey to present the portion of the bill related to grants in medically underserved areas.

Mr. Chairman, I do feel that this amendment strengthens this bill and is something that we really need to do if we want to reach the hard-to-reach areas and to be able to have the kind of data and have the kind of information to give them quality health care.

On that note, Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Who claims time in opposition?

Mrs. JOHNSON of Connecticut. I rise to support this amendment.

The CHAIRMAN. Does the gentlewoman claim time in opposition?

Mrs. JOHNSON of Connecticut. I claim time in opposition.

The CHAIRMAN. Without objection, the gentlewoman will control 5 minutes.

There was no objection.

Mrs. JOHNSON of Connecticut. I claim time to say we accept the amendment. It is a very thoughtful amendment and an important one, and we thank the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. I want to thank the gentlewoman from Connecticut for supporting the amendment.

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

Mrs. JOHNSON of Connecticut. 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. TOWNS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. PALLONE. 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.

AMENDMENT NO. 3 OFFERED BY MR. JACKSON OF ILLINOIS

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in part C of House Report 109–603.

Mr. JACKSON of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. JACKSON of Illinois:

In section 102, add at the end the following new paragraph:

(5) Recommendations on the inclusion of emergency contact or next-of-kin information (including name and phone number) in interoperable electronic health records.

The CHAIRMAN. Pursuant to House Resolution 952, the gentleman from Illinois (Mr. JACKSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. JACKSON of Illinois. Mr. Chairman, my amendment simply states that emergency contact or next-of-kin information should be included in the interoperable electronic health records.

Mr. Chairman, in an instant, a wrong turn, a sudden fall, a missed step, someone, indeed anyone, can find themselves in a crisis and in need of emergency medical care. Nationwide, nearly 1 million people arrive in emergency rooms each year unconscious or physically unable to give informed consent for their care.

Consider the story of Elaine Sullivan. A very active 71-year-old woman, Elaine fell at home while trying to get into her bathtub. When paramedics arrived, she realized that injuries to her mouth and head made her unable to communicate and give informed consent for her own care. Although stable for the first few days, she began to slip into critical condition. The hospital failed to notify her family for 6 days, and tragically Elaine Sullivan died alone in the hospital.

In the aftermath of this tragedy, Elaine Sullivan's daughter, Jan, and granddaughter, Laura, turned their personal pain to public action. Jan and Laura Greenwald went to work to make sure that that never happened to their loved ones or anyone else's loved one again.

In Elaine Sullivan's memory and honor, I introduced H.R. 2560 so that in the future phone calls to loved ones will always be made. This amendment, Mr. Chairman, which includes a provision of H.R. 2560, is a modest step to ensure that this situation doesn't happen again.

Let me be clear. Most hospitals notify the next of kin of unconscious emergency room arrivals relatively quickly. However, emergency rooms are extremely high pressure and sometimes chaotic environments. In the hustle and bustle of the ER, despite the professionalism and the dedication of staff, there are real risks that a simple phone call may or may not be able to be made in a timely fashion.

Consider for a moment just one distressing but relevant scenario. Your loved one is out of town on a business trip. On the way they are involved in a serious head-on collision, unconscious and unable to communicate. They are rushed to the nearest hospital, and unbeknownst to you they lie comatose fighting for their life miles from home. Doctors and nurses work feverishly to provide emergency medical care to a patient who is only the name on a license, but to you they are the love of your life.

If your electronic health records contained emergency contact or next-of-kin information, this could help hospital staff quickly notify you about your loved one's condition. You could rush to be by their side and possibly share critical medical history and information. Emergency contact and next-of-kin information should be included in electronic medical records to ensure that family members are notified and informed decisions are made during a medical emergency.

Mr. Chairman, I ask for an ''aye'' vote on the Jackson amendment.

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

The CHAIRMAN. Does the gentlewoman from Connecticut claim the time in opposition?

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in opposition.

The CHAIRMAN. Without objection, the gentlewoman from Connecticut will control 5 minutes.

There was no objection.

Mrs. JOHNSON of Connecticut. First of all, the gentleman from Illinois has brought a very thoughtful amendment to this bill. The information that he wants included in electronic health record is extremely important information, and I support your amendment.

Mr. JACKSON of Illinois. I thank the gentlewoman for supporting our amendment, Mr. Chairman.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. JACKSON).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CUELLAR

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in part C of House Report 109–603.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109–603 offered by Mr. CUELLAR:

In section 330M(d) of the Public Health Service Act, as added by section 104 of the Bill, strike ''or'' at the end of paragraph (1), strike the period at the end of paragraph (2) and insert ''; or'', and add at the end the following new paragraph:

''(3) if the project to be funded through such a grant will emphasize the improvement of access to medical care and medical care for medically underserved populations which are geographically isolated or located in underserved urban areas.''.

The CHAIRMAN. Pursuant to House Resolution 952, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, my amendment to H.R. 4157 emphasizes the priority of funding grants which would improve access, coordination, and the provision of health care to the uninsured, underinsured, and medically underserved areas in both rural and urban areas in the State and in the country.

This amendment will add priority antiquated health system grant proposals which improve medical care access and health care by way of health information technology to patients in underserved rural and urban areas. In my district, which encompasses both rural and urban areas, I have seen the need for health IT to promote better health care and accessibility.

In some of my rural counties, citizens are faced with few health care options and in many cases, are forced to travel great distances to see doctors, specialists, and go to a hospital or care facility which can address their individual health needs. In my hometown of Laredo, Texas, a major South Texas urban area, there is a great need for health IT to better coordinate and provide the care to the uninsured and underinsured, and of course, the underserved patients.

Citizens in America's remote and rural isolated areas and urban areas, which often lack sufficient medical services, face very difficult challenges to access quality health care and treatment. New health information technology, including the health IT to be funded by grants to be integrated with the health care systems, and this particular bill, a bill that I support, lays the essential groundwork for a new era of sensibility and quality health care that all Americans deserve regardless of where they call home.

Mr. Chairman, I ask for favorable consideration of my amendment, and I believe this amendment is acceptable to Mrs. JOHNSON.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in support of the amendment. I understand there are some technical adjustments that your staff and our staff talked about that we will work on.

Mr. CUELLAR. And I will work with your staff in conference committee to address those technical points. I am in agreement with that. I believe my staff has been working with your staff.

Mrs. JOHNSON of Connecticut. With that understanding, I am pleased to support the gentleman's amendment.

Mr. CUELLAR. I thank the gentlewoman.

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

The CHAIRMAN. Does any Member claim time in opposition to the amendment?

The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

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AMENDMENT NO. 5 OFFERED BY MR. PRICE OF GEORGIA

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in part C of House Report 109–603.

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. PRICE of Georgia:

Add at the end of title II the following new section:

SEC. 206. REPORT ON APPROPRIATENESS OF CLASSIFICATION METHODOLOGIES AND CODES FOR ADDITIONAL PURPOSES.

Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that evaluates—

(1) the applicability of health care classification methodologies and codes for purposes beyond the coding of services for diagnostic documentation or billing purposes;

(2) the usefulness, accuracy, and completeness of such methodologies and codes for such purposes; and

(3) the capacity of such methodologies and codes to produce erroneous or misleading information, with respect to such purposes.

The CHAIRMAN. Pursuant to House Resolution 952, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I yield myself such time as I may consume.

(Mr. PRICE of Georgia asked and was given permission to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Chairman, I rise to thank both the chairman of the committee and Chairman DREIER and the Rules Committee members.

As a physician, I know the importance of having appropriate information available in order to make quality health care decisions, and I am cautiously optimistic about the prospects in that portion of the bill.

My amendment addresses section 203, the area of the bill that seeks to upgrade the ICD codes.

ICD, or international classification of diseases, codes are diagnostic codes, series of letters and numbers that identify with some specificity the various diseases or conditions for which a patient is being treated.

ICD codes can be very useful in tracking various patients with similar conditions. They may be helpful in research that may aid in the future treatment of patients with the same disease.

ICD codes are diagnostic codes. They were intended to be used to identify as accurately as possible the diagnosis that a particular patient has.

ICD codes were not designed to be used for anything beyond documentation of a diagnosis.

However, they are being used, in combination with other codes, particularly CPT or billing codes, to evaluate various kinds of treatment and whether that treatment is appropriate or efficient or of quality.

There are many people who are providing health care for our citizens, who are taking care of our families, who have significant reservations regarding the use of those codes for purposes for which they were never designed.

It is possible that the use of these codes for other needs may, in fact, result in conclusions that are at best misleading, and worse, incorrect, thereby having the possible outcome of harming the treatment of future patients.

Consequently, my amendment calls for a report from the Secretary of Health and Human Services to Congress that would determine the applicability, usefulness, accuracy and completeness of the use of these codes.

It also asks for information on the capacity of the use of these codes to produce erroneous or misleading information.

Science relies on the accuracy of information in order to make correct judgments, determinations and decisions on how one should proceed. We here in Congress should do no less.

The consequences of our decisions can be significant, and it is imperative that we have accurate data upon which to make those decisions. The information that will result from this amendment will allow us to make those decisions with greater confidence in their benefit to our constituents.

I ask my colleagues for their support in assisting us in gaining greater insight into this important matter. I ask for their support on this amendment.

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

The CHAIRMAN. Does any Member claim the time in opposition to the amendment?

Mrs. JOHNSON of Connecticut. Yes, I claim time in opposition to the amendment. Although I do not oppose the amendment, I would like to comment.

The CHAIRMAN. Without objection, the gentlewoman from Connecticut will control the time.

There was no objection.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

I would like to comment on the amendment. Mr. PRICE has been a very active and fine mind as we developed this bill, and I welcome his amendment.

I do think we need to evaluate new methodologies and procedures very carefully; and as a physician, he brings to this issue a lot of information and a lot of concern about both advances and also problems that could develop.

I will say one of the strengths of the bill that has not been talked about on the floor here today is that it does move us to the ICD 10 system from the ICD 9 system, and that will give us a great deal more ability to look at quality, to judge quality, to pay for quality, to analyze actually what series of symptoms responded best to precisely what treatment approach.

But there are also shoals in every water, and I think your study is very appropriate. The ICD 10 system is now not only more glandular, but we also think it will help us to reduce fraud and abuse. But no matter how many positive things we think it will contribute, it is also wise to know and watch for and evaluate whether or not it is creating problems that we did not anticipate.

So I welcome this study, and I thank Mr. PRICE for his contribution.

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

Mr. PRICE of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I appreciate those comments, and I would agree, I think it is important that we move forward with a more specific ICD coding system. ICD 10 will do that, and hopefully it will be adopted in a timely fashion.

This report will be back prior to the installation of those new codes, and so I look forward to seeing the results of this report and hopefully making some recommendation at that time, and urge my colleagues to support this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MISS MCMORRIS

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in part C of House Report 109–603.

Miss MCMORRIS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Miss MCMORRIS:

At the end of title IV, insert the following new section:

SEC. 409. PROMOTING HEALTH INFORMATION TECHNOLOGY AS A TOOL FOR CHRONIC DISEASE MANAGEMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services shall establish a two-year project to demonstrate the impact of health information technology on disease management for individuals entitled to medical assistance under a State plan under title XIX of the Social Security Act.

(b) STRUCTURE OF PROJECT.—The project under subsection (a) shall—

(1) create a web-based virtual case management tool that provides access to best practices for managing chronic disease; and

(2) provide chronic disease patients and caregivers access to their own medical records and to a single source of information on chronic disease.

(c) COMPETITION.—Not later than the date that is 90 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall seek proposals from States to carry out the project under subsection (a). The Secretary shall select not less than four of such proposals submitted, and at least one proposal selected shall include a regional approach that features access to an integrated hospital information system in at least two adjoining States and that permits the measurement of health outcomes.

(d) REPORT.—Not later than the date that is 90 days after the last day of the project under subsection (a), the Secretary of Health and Human Services shall submit to Congress a report on such project and shall include in such report the amount of any cost-savings resulting from the project and such recommendations for legislation or administrative action as the Secretary determines appropriate.

The CHAIRMAN. Pursuant to House Resolution 952, the gentlewoman from

Washington (Miss MCMORRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Miss MCMORRIS. Mr. Chairman, I yield myself as much time as I may consume.

I rise to offer the McMorris-Smith MAP IT amendment, the Medicaid Access Project through Information Technology proposal. This amendment is supported by the Healthcare Information and Management Systems, the Society Information Technology Industry Council, the American Health Information Management Association, the American Hospital Association, the Federation of American Hospitals, the American Medical Association, and the U.S. Chamber of Commerce.

The McMorris-Smith amendment and the underlying bill will help fulfill President Bush's goal of most Americans having an electronic health record by the year 2014.

I am pleased to offer this bipartisan amendment which strengthens the Health Information Technology Promotion Act and its goal of encouraging the adoption of health information technology into our health care system. As I have traveled throughout eastern Washington, I have seen the need for health information technology and the potential that it has not just to improve health care delivery but also save costs.

Information technology has the power to revolutionize the delivery of health care. This bill is a first step toward encouraging the utilization of health IT on a national level, and I applaud the efforts of Chairman DEAL and Chairman JOHNSON for leading this effort.

This bill represents collaboration between health care providers, payers, patient advocates and the IT community and will pave the way for better access to quality health care for Americans.

As we move forward to set these new standards in place, it is crucial that we take steps to include health information technology in government-funded health programs like Medicare and Medicaid. Health information technology will increase effectiveness, efficiency, overall quality, and promote cost savings in the long run.

This amendment strengthens the underlying bill by incorporating a Web-based tool to manage chronic disease populations within Medicaid. This provision will allow for the creation of a virtual case management program that provides patients and providers access to a real-time electronic medical record. We need to seriously study the effects of using health IT to better serve patients and taxpayers.

Modest estimates show that medical errors cause around 400,000 avoidable injuries and fatalities annually and more than 800,000 in elderly care centers and over a half a million befall Medicare patients in outpatient care. The cost incurred from correcting and treating medication-related errors occurring in hospitals, not counting doctors' offices and other facilities, was projected to be at least $3.5 billion annually. These staggering numbers can and should change.

The United States spends more than 2½ times any other country on health care. We need to ensure that we are maximizing our resources and getting a high return on our investment. A study published in August of 2005 by the Institute for Public Policy and Economic Analysis at Eastern Washington University found that for every dollar spent on a technology-enabled disease management program, it provided up to $10 in medical savings and even more in terms of nonmedical cost savings. At a time when most States are facing increased taxes or cutting Medicaid benefits, increasing outcomes and cutting costs is a win-win situation.

The McMorris-Smith amendment would allow us to more fully study the cost savings and patient benefits of utilizing health information technology within one of Medicaid's most costly populations, chronic disease sufferers. Any piece of comprehensive health information technology legislation must help address the cost and care of this population that consumes 80 percent of the Medicaid resources, yet that is just 20 percent of the Medicaid population.

We can address this issue. This amendment takes savings and quality theories and provides a vehicle for practical application now.

Thank you for your consideration. I urge Members to adopt the McMorris-Smith amendment and support the underlying bill.

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

The CHAIRMAN. Who claims time in opposition to the amendment?

Mr. SMITH of Washington. Mr. Chairman, I am not in opposition to the amendment, but I would claim the time unless somebody is.

The CHAIRMAN. Without objection, the gentleman from Washington will control the time in opposition.

There was no objection.

Mr. SMITH of Washington. Mr. Chairman, I yield to myself as much time as I may consume.

I want to thank Representative MCMORRIS for her leadership on this bipartisan issue.

This amendment really gets at the heart of why health care information technology is important in the first place, and there are really two big reasons. Number one, it can significantly improve the quality of care for patients; and, number two, it can significantly reduce health care inflation. Right now, if you want to do anything to improve the quality of health care in this country getting inflation under control is job one so that people can access that.

That is what health care information technology has the promise to do; and this amendment, in particular, focuses on one aspect of it where it could really reduce the costs and improve the quality of care, helping a specific class of patients get the best information possible for the best disease management possible.

All across the world, information is being developed even as we sit here on how to better deal with all kinds of different diseases. But how do we make sure that both patients and providers have real-time access to that best information and employ it? That is what this amendment aims to do. For diabetes patients with Medicaid, it can give us a real case example of how we can save money and improve the quality of care for these patients.

I think there is unbelievable potential if we have the best information possible. Too often now patients do not know what the best care is. Too often providers do not even know at the moment what the best care is; and as a consequence, they do not get it and the patients do not receive it. Health care quality goes down and costs go up, as procedures are either repeated or the wrong procedures are done.

This amendment gives us a great opportunity to do an isolated case study on how to make this work in disease management to improve the quality of care and get costs under control.

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

Miss MCMORRIS. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania (Mr. MURPHY), my friend.

Mr. MURPHY. Mr. Chairman, I thank the gentlewoman for putting this important amendment in.

Previously, it has been cited that the CBO report did not show a savings. Let me mention three things that chronic care management does. 300,000 asthmatic children were studied with chronic care and found that lowered rehospitalization by 34 percent. University of Pittsburgh Medical Center reduced rehospitalization of diabetics by 75 percent. Washington Hospital, Washington, PA, reduced rehospitalization of chronic heart disease by 50 percent.

I suggest the CBO look at how electronic medical records can save money in this.

I have listed a lot of these things in a report entitled, ''Critical Condition, the State of the Union's Health Care,'' which I have available at my Web site; and I urge my colleagues to look at that, and I urge the CBO to read it as well. They might learn something.

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. BEAN).

Ms. BEAN. Mr. Chairman, I rise in strong support of this Smith-McMorris amendment to establish a 2-year health IT demonstration project for Medicaid patients with chronic diseases.

This bill is a step in the right direction, but the Smith-McMorris amendment would actually speed the implementation of health IT in a crucial and tangible way. It will not only improve efficiency and quality, but will also

help control the growing costs for Medicaid patients with chronic health conditions.

Mr. Chairman, these patients often have complex medical conditions, relying on multiple doctors and numerous medications.

This amendment would put patients in better control of their medical information, provide improved access and more information for caregivers, and create a Web-based resource to promote best practices for chronic care management.

Mr. Chairman, the need for health IT is well established and will both save lives and billions of dollars. This body talks often about the need to improve quality of care and reduce inefficient spending under Medicaid. The Smith-McMorris amendment promises us an opportunity to move beyond rhetoric and actually better care and more responsible return on our tax dollars.

□ 1500

Mr. SMITH of Washington. Mr. Chairman, may I inquire how much time I have left.

The CHAIRMAN. The gentleman has 2½ minutes remaining.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 15 seconds to close and to once again thank Representative MCMORRIS and to point out how important chronic disease management is in saving money. This is an outstanding opportunity for us to use technology to do that, and I urge adoption of the amendment.

Mr. Chairman, I yield the balance of my time to Representative MCMORRIS.

Miss MCMORRIS. Mr. Chairman, I yield my good friend from South Carolina (Mr. WILSON) 1 minute.

Mr. WILSON of South Carolina. I want to congratulate Congresswoman MCMORRIS on her leadership with Congressman SMITH on this issue.

As a person who has a son who is a doctor in California, I am very grateful to be here and support the amendment, which will create a Web-based virtual case management tool that provides access to the best practices for managing chronic disease.

Additionally, this amendment would provide for chronic disease patients and caregivers to have access to their own medical records and to a single source of information on chronic disease.

Further, it directs the Secretary to select at least four proposals from those submitted by States and at least one proposal selected to include a regional approach featuring access to an integrated hospital information system in at least two adjoining States that permits the measurement of outcomes.

I know personally that our family has benefited from the best of health care. One of our sons has been a cancer survivor. And I just want to congratulate, again, Congresswoman MCMORRIS on her leadership; and I urge adoption of the amendment.

Miss MCMORRIS. Mr. Chairman, may I inquire as to how much time remains.

The CHAIRMAN. The gentlewoman has 1¾ minutes remaining.

Miss MCMORRIS. Mr. Chairman, I yield 1 minute to my good friend from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I am very happy to rise in support of the amendment of the gentlewoman from Washington. A little disappointed my own great amendments were not made in order but very happy to support hers.

As a physician, having practiced 30 years of clinical medicine, there is no question that the cost of chronic disease management is the most costly, and particularly under Medicaid. I think the gentlewoman has the exact right idea, to be able to monitor this information on a real-time basis so that physicians know exactly what they are spending and what is cost effective.

I was very happy as a member of the Rules Committee to recommend her amendment be made in order. Thank goodness it was, and I proudly stand here today to recommend this amendment to all of my colleagues on both sides of the aisle. I commend her for the good job she has done.

Miss MCMORRIS. Mr. Chairman, I yield to the great chairman of the subcommittee who, without her support, we would not be having this amendment before us today.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong support of this amendment. First of all, of all the systems in America that really need this kind of attention, it is our Medicaid system because they deal mostly with elderly and poor whose health has long been neglected.

So I know this is going to give us a lot of very good insight and information into how we can both improve the quality and reduce the cost of care in our Medicaid system, and I congratulate the gentlewoman and her cosponsors for bringing this before us today.

Miss MCMORRIS. Mr. Chairman. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Washington (Miss MCMORRIS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. TOWNS

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TOWNS) 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 vote was taken by electronic device, and there were—ayes 417, noes 1, not voting 14, as follows:

[Roll No. 414]

AYES—417

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
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
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
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
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
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
Manzullo
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
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter

Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
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
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—1

Paul

NOT VOTING—14

Clyburn
Crowley
Cubin
Davis, Jo Ann
Deal (GA)
Evans
Everett
Fossella
Holt
Istook
Lewis (GA)
McKinney
Millender-McDonald
Wexler

□ 1529

Messrs. WELDON of Florida, CUMMINGS, and INSLEE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FEENEY) having assumed the chair, Mr. SIMPSON, 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. 4157) to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology, pursuant to House Resolution 952, he reported the bill, as amended pursuant to that rule, back to the House with further sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DOGGETT

Mr. DOGGETT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlemen opposed to the bill?

Mr. DOGGETT. I certainly am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Doggett moves to recommit the bill H.R. 4157 to the Committees on Energy and Commerce and Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Amend section 205 to read as follows:

SEC. 205. PRIVACY AND SECURITY PROTECTIONS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall provide for standards for health information technology (as such term is used in this Act) that include the following privacy and security protections:

(1) Except as provided in succeeding paragraphs, each entity must—

(A) expressly recognize the individual's right to privacy and security with respect to the electronic disclosure of such information;

(B) permit individuals to exercise their right to privacy and security in the electronic disclosure of such information to another entity by obtaining the individual's written or electronic informed consent, which consent may authorize multiple disclosures; and

(C) permit an individual to prohibit access to certain categories of individuals (as defined by the Secretary) of particularly sensitive information, including data relating to infection with the human immunodeficiency virus (HIV), to mental health, to sexually transmitted diseases, to reproductive health, to domestic violence, to substance abuse treatment, to genetic testing or information, to diabetes, and other information as defined by the Secretary after consent has been provided under subparagraph (B).

(2) Informed consent may be inferred, in the absence of a contrary indication by the individual—

(A) to the extent necessary to provide treatment and obtain payment for health care in emergency situations;

(B) to the extent necessary to provide treatment and payment where the health care provider is required by law to treat the individual;

(C) if the health care provider is unable to obtain consent due to substantial barriers to communicating with the individual and the provider reasonably infers from the circumstances, based upon the exercise of professional judgment, that the individual does not object to the disclosure or that the disclosure is in the best interest of the individual; and

(D) to the extent that the information is necessary to carry out or otherwise implement a medical practitioner's order or prescription for health services, medical devices or supplies, or pharmaceuticals.

(3) The protections must prohibit the improper use and disclosure of individually identifiable health information by any entity.

(4) The protections must provide any individual a right to obtain damages and other relief against any entity for the entity's improper use or disclosure of individually identifiable health information.

(5) The protections must require the use of reasonable safeguards, including audit capabilities, encryption and other technologies that make data unusable to unauthorized persons, and other measures, against the risk of loss or unauthorized access, destruction, use, modification, or disclosure of individually identifiable health information.

(6) The protections must provide for notification to any individual whose individually identifiable health information has been lost, stolen, or used for an unauthorized purpose by the entity responsible for the information and notification by the entity to the Secretary.

(b) LIST OF ENTITIES.—The Secretary shall maintain a public list identifying entities whose health information has been lost, stolen, or used in an unauthorized purpose as described in subsection (a)(6) and how many patients were affected by such action.

(c) CONSTRUCTION.—Nothing in this section shall be construed as superseding, altering, or affecting (in whole or in part) any statute, regulation, order, or interpretation in effect in any State that affords any person privacy and security protections greater than that the privacy and security protections described in subsection (a), as determined by the Secretary.

Mr. DOGGETT (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, this is an important motion for a modest bill. It leaves this bill with an opportunity to move forward today with just one important change, and that is the addition of vital personal privacy protection of what should be genuinely personal medical records.

In my youth, there was a popular song called ''I Heard it Through the Grapevine.'' These days, it's ''I saw it on the Internet.'' In this busy world of busy bodies and identity theft and commercial snooping, I believe what a patient confides to a physician about an ailment, what a young couple tells a psychologist about their marriage, what prescription a pharmacist provides, that highly personal information should not be spread and read on the Internet.

The consequences of unwanted disclosure of personal health information is more than embarrassment or humiliation. It may mean the loss of a job or a promotion. It may mean that an individual refuses to confide necessary information to their doctor or avoids health care and critical medical tests because of fear that the information will be disclosed without her consent.

This Administration has shown little interest in personal privacy, whether it was the privacy of library records or phone conversations or veterans' records.

The Federal Government scored a D-plus on the 2005 Computer Security Report Card, with the Departments of Health and Human Services, Veterans Affairs, and Homeland Security scoring an F. And the Administration's record on health care privacy is even worse. As the Post disclosed last month, there have been 19,420 complaints during the Bush Administration about privacy violations. There have, during this Administration, been almost 20,000 complaints about invasions of privacy with medical records, and all of that has not resulted in a single civil fine anywhere in this country under the protections that are available there, and only two criminal cases out of that 20,000.

This is not an adequate performance, and that is why Dr. Deborah Peel, one of my Texas neighbors, and a host of professional and public health organizations have urged us to adopt meaningful privacy protections in this bill.

Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. KENNEDY), who has been such an advocate on this.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I want to ask a few questions to my colleagues about this privacy law.

Do you think it should be a violation of Federal health privacy law to be able to hack into an electronic database for health information? I think it should be against the law. But it is not against the law.

If a hospital employee accesses your health record, for example, for a famous movie star and sells it to a tabloid, do you think that is wrong? Well, that is not against the law now. If you can allow a hospital information to be accessible through an information network, this is now permissible.

All of these things are permissible under the HIPAA law. And if you do not like that, you are going to hate what this bill does to HIPAA, which is going to magnify it 100 times. There is going to be no protection for privacy whatsoever.

And that is why I ask all of you to join us in the motion to recommit. Your constituents will thank you for it if you vote for the motion to recommit.

Mr. DOGGETT. Mr. Speaker, I thank the gentleman, and I yield the balance of my time to the gentleman from Massachusetts (Mr. MARKEY), who has led the way on privacy issues across this country.

Mr. MARKEY. Mr. Speaker, I thank the gentleman from Texas for his leadership on this issue.

There is no privacy protection in this bill. We are about to move to an era where all of your drug records, all of your psychiatric records, all of your children's medical records are going online. William Butler Yeats, the great Irish poet, said that in dreams begin responsibility. We have a responsibility to have privacy protections built into this bill.

What do the Republicans say? They say trust the Department of Health and Human Services. This year TOM DAVIS, the Government Reform Committee, gave a grade to all agencies in the protection of privacy. Do you know what grade TOM DAVIS and your Government Reform Committee gave to the Department of Health and Human Services? An F. Now, that is Medicare and Medicaid. That is one quarter of all Americans. Now we are taking all private citizens as well and the Republicans are saying ''trust the Department of Health and Human Services.''

What our motion to recommit says is that every American has the right to say that their children's medical records do not have to be put online; that everyone does not have to know about it; that they have a right to say no, they don't want those records online; that each family can make that decision for themselves.

Vote ''aye'' on the Doggett motion to recommit.

Mr. BARTON of Texas. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. Mr. Speaker, I want to compliment my good friends who have spoken on this motion to recommit. I know all three of the gentlemen, and they are fine fellows and fine public servants and believe passionately in what they speak of. If I were a doctor on this debate, I believe I would have to recommend they take a Valium and just calm down. We do not get this fixed if there is a problem.

Whatever the law is today on medical record privacy, the law is going to be tomorrow on medical record privacy. Nothing in this bill changes that. This is a health information technology bill. We are actually trying to get medical records in our country, the greatest Nation the world has ever known, to use technology that many other industries and many other groups have already incorporated into their daily business routine.

Now, there is an ongoing study at HHS on privacy. They have received over 50,000 public comments so far. This bill before us, if it becomes law, has an implementation period. There is going to be adequate time to come back, if we need to, with a specific medical technology privacy bill.

In past Congresses, Mr. MARKEY and I have been co-chairmen of the Privacy Caucus in the House, along with Senator SHELBY and Senator DODD in the Senate. I am as strong an advocate of protecting personal privacy as anybody in this body. I would say Mr. MARKEY and others share the passion just as strongly as I do.

The bill before us today is not a privacy bill. This motion to recommit is a privacy amendment. We should reject it and then move the underlying bill. And if and when we need to address medical privacy as a stand-alone issue, there will be adequate time and adequate resources devoted to that.

Mr. KENNEDY of Rhode Island. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Companies that are in the business of storing patient health information online are not covered under HIPAA. Are not covered under HIPAA.

Mr. BARTON of Texas. Mr. Speaker, reclaiming my time, they are covered under adequate laws, and HIPAA is the medical privacy law.

Please vote against the motion to recommit.

Mr. Speaker, I yield the balance of my time to the subcommittee chairman from the Ways and Means Committee, who has worked so tirelessly on this bill, Mrs. JOHNSON of Connecticut.

Mrs. JOHNSON of Connecticut. Mr. Speaker, remember, adoption of HIPAA was a multi-year process, very controversial, very difficult, 50,000 comments just on the regulations.

The SPEAKER pro tempore. The gentlewoman will suspend.

In debate on a motion to recommit, time is not controlled. Therefore, although the gentleman may yield as he pleases, he must remain on his feet.

Mr. BARTON of Texas. I know the rules. I'm supposed to be standing up. I apologize.

Mrs. JOHNSON of Connecticut. My legislation explicitly does not change HIPAA.

The behavior described of hacking in and revealing what would be under HIPAA is a fine of $250,000 and 10 years in jail. So HIPAA is there. It protects our privacy.

What this bill does is to put in place a study to look at what has happened in the States, what has happened between State law and Federal law, to look and see if there are things that need to be done to create greater commonality amongst all these laws so that the nationwide interoperable health information system will protect health information to the current or a higher standard. So in the bill it has to be to a higher standard. But we maintain current law. There is absolute protection.

And, remember, this specific approach was rejected by Donna Shalala and President Clinton; so do not take this vote lightly, folks. What you are voting for is a radical change in a law that is terribly important to all of us and we maintain in this bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4157, if ordered, and the motion to instruct on H.R. 2830.

The vote was taken by electronic device, and there were—ayes 198, noes 222, not voting 12, as follows:

[Roll No. 415]

AYES—198

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Conyers
Costa
Costello
Cramer
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
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
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
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
Woolsey
Wu
Wynn

NOES—222

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
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Culberson
Davis (KY)
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
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
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
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
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)

NOT VOTING—12

Clyburn
Crowley
Cubin
Davis, Jo Ann
Deal (GA)
Evans
Fossella
Istook
Lewis (GA)
McKinney
Thomas
Wexler

□ 1603

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

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. JOHNSON of Connecticut. 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 270, noes 148, not voting 14, as follows:

[Roll No. 416]

AYES—270

Aderholt
Akin
Alexander
Allen
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carnahan
Carson
Carter
Castle
Chabot
Chocola
Clay
Cleaver
Coble
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Cuellar
Culberson
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Hooley
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Oxley
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanchez, Loretta
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Upton
Walden (OR)
Walsh
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOES—148

Abercrombie
Ackerman
Andrews
Baca
Baldwin
Becerra
Berman
Berry
Bishop (NY)

Blumenauer
Boswell
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Case
Chandler
Conyers
Costello
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Duncan
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Garrett (NJ)
Gingrey
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Higgins
Hinchey
Holden
Holt
Honda
Hostettler
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kucinich
Langevin
Lantos
Larson (CT)
Lee
Levin
Lowey
Lynch
Maloney
Markey
Matsui
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Taylor (MS)
Thompson (MS)
Tierney
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wynn

NOT VOTING—14

Clyburn
Crowley
Cubin
Davis, Jo Ann
Deal (GA)
Evans
Fossella
Istook
Lewis (GA)
McKinney
Payne
Pence
Thomas
Wexler

□ 1611

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A Bill to promote a better health information system.''.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 2830, PENSION PROTECTION ACT OF 2005

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 2830 offered by the gentleman from California (Mr. GEORGE MILLER) on which the yeas and nays are ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 285, nays 126, not voting 21, as follows:

[Roll No. 417]

YEAS—285

Abercrombie
Aderholt
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Calvert
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Coble
Conyers
Cooper
Costa
Costello
Cramer
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan
Edwards
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Frank (MA)
Gallegly
Gerlach
Gibbons
Gilchrest
Gohmert
Gonzalez
Goode
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutknecht
Harman
Hart
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hunter
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
LaTourette
Leach
Lee
Levin
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Pickering
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Stark
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—126

Akin
Alexander
Bachus
Baker
Barrett (SC)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Chabot
Chocola
Cole (OK)
Conaway
Crenshaw
Culberson
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Ehlers
English (PA)
Feeney
Flake
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gillmor
Gingrey
Goodlatte
Granger
Graves
Hall
Harris
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hulshof
Inglis (SC)
Issa
Johnson (CT)
Johnson, Sam
Keller
King (IA)
Kline
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pitts
Price (GA)
Pryce (OH)
Putnam
Radanovich
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ryan (WI)
Ryun (KS)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (TX)
Stearns
Terry
Thomas
Tiahrt
Tiberi
Walden (OR)
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (AK)

NOT VOTING—21

Ackerman
Clyburn
Crowley
Cubin
Davis, Jo Ann
Deal (GA)
Emanuel
Evans
Fossella
Gutierrez
Hoekstra
Istook
Larson (CT)
Lewis (GA)
McKinney
Melancon
Payne
Spratt
Strickland
Thornberry
Wexler

□ 1621

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

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING REPAIR OF MACE OF HOUSE OF REPRESENTATIVES

Mr. BOEHNER. Mr. Speaker, I offer a resolution (H. Res. 957) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved,

SECTION 1. REPAIR OF MACE OF HOUSE OF REPRESENTATIVES.

(a) DELIVERY FOR REPAIR.—The Sergeant at Arms of the House of Representatives is authorized and directed, on behalf of the House of Representatives, to deliver the mace of the House of Representatives, following an adjournment of the House pursuant to concurrent resolution, to the Secretary of the Smithsonian Institution only for the purpose of having necessary repairs made to the mace and under such circumstances as will assure that the mace is properly safeguarded.

(b) RETURN.—The mace shall be returned to the House of Representatives before noon on the day before the House next reconvenes pursuant to concurrent resolution or at any sooner time when so directed by the Speaker of the House of Representatives.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

CALLING FOR CEASE-FIRE IN LEBANON

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

Mr. McDERMOTT. Mr. Speaker, yesterday a number of countries met in Rome and they discussed what ought to happen between or in Lebanon, and they came to a decision there ought to be a cease-fire, except one country said no, it was the United States of America.

Mr. Speaker, how can it be that the United States of America can condone the continuation of people dying on both sides of the line? The explanation of who started it or who won't stop or who is at fault or when it started or all that must be decided at a peace table. As long as people are dying, the peace table is going to be harder and harder and harder to work out. The sooner we bring the parties to the table, the better off the whole world will be, not just Lebanese, not Israelis, everyone in the world will be better off if we have a cease-fire. Please, Mr. President, listen to us.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING TIM FRIEDMAN

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

Ms. WOOLSEY. Mr. Speaker, I rise today to talk about Tim Friedman who is leaving this body to start a new life, one a lot more relaxing I am sure. But I can tell him, he won't be surrounded by as many people that absolutely admire and like him like he is day in and day out here.

I have gotten to know this man. He has been here for 30 years, but I have gotten to know him over the past 2 years while I have come to the floor 165 times to bring 5-minute special orders on bringing our troops home from Iraq. But what I have learned about him because he is here every night while we are doing our Special Orders, that his job in keeping this House floor together, to keep Members on the straight and narrow and knowing what we are doing and what we are not supposed to do, like talking on our cell phones on the floor, he does with good humor, he does with good grace.

But his most important chore, and I think he has always known this with me, has been to find my fountain pens when I lose them. Actually, he can find a real fountain pen. I have a bit of a fetish for nice fountain pens. He finds other people's, and he thinks they are mine because I so often lose mine. But he also finds things that other Members of the House lose. He is a real sleuth, and he finds them, he knows who they belong to, he lets us know that he has got them.

Mr. Speaker, even though he is starting a new chapter in his life, even though he is leaving us, we know that he has been here and we will always remember how he has treated every single one of us. I am glad that he was part of this chapter in my life.

Mr. ROTHMAN. Mr. Speaker, will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentleman from New Jersey.

Mr. ROTHMAN. Mr. Speaker, I would like to join the gentlewoman from California in acknowledging and honoring our friend, Tim Friedman, for all his 30-plus years of service to the House of Representatives.

I have been here now 10 years, Mr. Speaker, and I can you I have asked a great deal of Mr. Friedman, how to get from place to place, what the votes are going to be, asking him his advice on all kinds of family matters, frankly, to whether to go home for that soccer game or that school play. And he always gave me the right answer: Go home and be with your kids, and we will take care of the institution.

Mr. Friedman has been an exemplary servant to this institution and to this country. And for 30-plus years of service, I want to thank him and his family for all of the sacrifice that he has expended on behalf of our country.

□ 1630

I want to say one other word. Tim is part of a team on our side of the aisle that makes our work possible. I know on the other side of the aisle there is a terrific team of people helping our friends on the other side of the aisle. So Tim represents the finest in public service, and I want to wish him and his family a wonderful retirement, and from the bottom of my heart, Tim, a sincere and grateful thank you for all you have done for me and for the Democratic Party, for the Democrats here, for the United States Congress and the people of this country.

Thank you, Tim Friedman.

Ms. KAPTUR. Mr. Speaker, will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Speaker, I thank the gentlewoman for yielding to me, and I want to add my words of great compliment and appreciation to Tim Friedman, a true gentleman who has served this House with such distinction for over three decades of his life. His career here represents the highest level of public service, and members of his family, his children, his relatives, all of his friends here, all the Members of Congress that he has served and the American people should know this man because so many of the really top quality staff members who serve the Nation do not get the kind of recognition that they genuinely deserve.

I want to thank him for his gentlemanly demeanor, being a true man of the House, and for helping us build a better Nation and world. Your service has been exemplary. Thank you on behalf of the Nation and thank you on behalf of the people of Ohio as well, all of whom you have served with such distinction. Congratulations. God bless you and may the future be even brighter than the years that you spent here.

Mr. Speaker, I thank the gentlewoman from California for yielding to me on behalf of such a fine and good man.

Ms. WOOLSEY. Mr. Speaker, in conclusion, Tim, thank you for taking care of us. Thank you for being you, and thank you for being in this chapter of my life.

THREE FATHERS—THREE STOLEN CHILDREN

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

Mr. POE. Mr. Speaker, I want to talk about three stolen children and three fathers.

Adam Walsh, a 6-year-old in Hollywood, Florida, disappeared on July 27, 1981, from a shopping store. His mother told him to play video games while she paid for a lamp. When she turned around, he had disappeared from the store. Apparently, the management had told him to leave.

On August 10, 1981, Adam's decapitated head was found in the water at Vero Beach, Florida. The rest of his remains have never been found.

Otis Toole, a serial killer, confessed to killing Adam in 1983. Police were not sure he was the killer, although he confessed again, but later recanted. Toole died in 1996 on death row for other crimes, and Adam's murder technically remains unsolved.

His father, John Walsh, partner in a hotel management company, lived the ''All-American Dream'' with his family in Hollywood, Florida, but the effect of his son's death, Adam, was devastating. He lost everything, not only his business, his home, but his pride, Adam Walsh.

He began campaigning for missing and exploited children, and his drive

created the Missing Children Assistance Act of 1984, which established the National Center for Missing and Exploited Children. Also, John and his wife established the Adam Walsh Child Resource Center, and he has been host on ''America's Most Wanted'' since 1988. This TV program helps capture the worst criminals in America. He still is married and he has three children now, and he works daily to protect our children.

Polly Klaas was abducted from her bedroom in the middle of the night on October 1, 1993, by Richard Allen Davis in California. He later strangled her and sexually assaulted her, and in December of that year, Davis led police to her body, and they discovered that she had been buried alive. Davis, a previously convicted felon, was sentenced to death in September 1996. He is on death row now in California waiting to be executed, as he needs to be.

Marc Klaas, her father, worked in a Hertz car rental center in San Francisco prior to her death. Memories of his daughter Polly were sitting on the couch, watching her favorite show ''The Simpsons.'' She had a love for performing. She also loved to play her clarinet and would have loved to have been an actress.

But the effect of her death, Mr. Speaker, in the words of her father, Marc, he said, ''I wanted to be dead for 10 years. No one has affected my life so positively and nothing has affected my life so negatively.''

After her abduction and murder, Marc gave up his business and dedicated his life to protecting our children. He is the founder of the Klaaskids Foundation, a nonprofit organization; and in 1994, he was instrumental in establishing the ''three strikes, you're out'' law in California. A third felony conviction means those criminals go to prison for 25 years to life.

Mr. Speaker, number three, Jessica Lunsford, 9-year-old girl in Florida. She was abducted also from her bedroom on February 23, 2005, by a repeat sex offender, John Couey. This occurred in Homosassa, Florida. He repeatedly sexually assaulted her, and then he buried her alive in his backyard.

It is interesting to note that ''America's Most Wanted'' helped capture this individual.

On March 18, 2005, Couey confessed to raping and killing Jessica and told police where she was buried. He is waiting trial; and, hopefully, the folks in Florida will administer their corrective punishment, the death penalty, in his case.

Mark Lunsford, her father, normal guy. In fact, he moved to Florida to protect his children. He was in the Army after high school and he loved his kids. He just worked as a heavy equipment operator at a recycling center. He says about his daughter that she loved to work with him and operate this heavy equipment. They took care of each other because that is what families do.

The effect of her death has helped him to also work for children. He is helping get Jessica's Law passed in 18 States, which increases the minimum penalty for sex offenders to 25 years for first offenders.

Mr. Speaker, these three fathers from three different backgrounds had a child stolen from them by a child predator. As a father of four and a grandfather of five, there would be nothing worse than to have a child murdered.

I know all three of these fathers. In fact, two of them are in Washington today. They are still fighting for kids, and they are here today because the President signed the Adam Walsh Child Safety Act to toughen up registration of child predators.

Twenty-five years ago today, Adam Walsh was kidnapped.

Mr. Speaker, children are our greatest resource, and every time a child is born, God is making a bet on the future of our culture. We are not judged by the way we treat the rich, the famous, the powerful, the influential. We as a society are judged by the way we treat the weak, the innocent, the children.

The voices of these three children, the roll call of the dead, Jessica, Polly and Adam, call from the graves for justice. America must be the land that concerns itself with the protection of its children, and we must win this war against those child terrorists who steal the lives of our children.

And that's just the way it is.

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

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 109–606) on the resolution (H. Res. 958) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

ENERGY BILL ANNIVERSARY BRINGS PAIN AT THE PUMP

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

Mr. BROWN of Ohio. Mr. Speaker, tomorrow is the first anniversary of the House passage of the Bush energy bill.

Our Republican colleagues probably want to take a victory lap, but they just cannot afford the gas. Gas prices, you see, in that 1 year are 71 cents higher today than they were 12 months ago.

The Republican energy bill fails American consumers by design.

They moved it a year ago, even though they knew it would grow our dependence on foreign oil because it offered $85 billion in consumer subsidies to Big Oil and the other Republican corporate campaign donors.

It has paid off. Eighty-four percent of Big Oil's more than $10 million in political contributions for this November's elections have gone to Republicans, 84 percent. Is it any wonder who the Republican energy bill really serves?

Too many of my Republican colleagues are addicted to oil company campaign contributions.

We need to reject the failed policies of the past. We need to build a brighter future of greater energy independence by using energy smarter, investing in new, job-creating energy technologies and, for instance, making my State of Ohio the Silicon Valley of alternative energy.

The SPEAKER pro tempore (Mr. POE). 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.)

HONORING DR. ROCH DOLIVEUX

Mr. GINGREY. Mr. Speaker, I ask unanimous consent to speak out of turn.

The SPEAKER pro tempore. Without objection, the gentleman from Georgia is recognized for 5 minutes.

There was no objection.

Mr. GINGREY. Mr. Speaker, today I rise to commend a fine constituent of the 11th District of Georgia, Dr. Roch Doliveux. Dr. Doliveux is the chief executive officer of UCB, Incorporated, a leading global biopharmaceutical company with facilities in my district, the 11th of Georgia, in the town of Smyrna.

Earlier this year, Dr. Doliveux received the Epilepsy Foundation's Distinguished Achievement Award in New York City. The Epilepsy Foundation annually recognizes individuals who have made outstanding efforts on the behalf of those living with epilepsy.

As the CEO of UCB, Incorporated, Dr. Doliveux has spearheaded his company's efforts to raise awareness of this disease, and he has leveraged its resources to develop and provide medicines to help patients return to their daily activities.

In our country, epilepsy affects 2.7 million Americans and their families. Mr. Speaker, epilepsy is a seizure disorder that can develop at any time in life, and it can stem from a variety of causes; but it is always a costly and frequently debilitating disease.

That is why, as a physician Member, I am so proud to stand on the floor of this body and extend my congratulations to Dr. Doliveux for his fine work on behalf of the Epilepsy Foundation.

IS PEACE POSSIBLE?

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to address the House.

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

There was no objection.

Ms. KAPTUR. Mr. Speaker, I rise this evening to tell a little story.

This week, a wonderful family from my district in Ohio brought to Washington a little sketch that they left with me. It is a scene from inside a home, and a little boy is standing at a window holding what looks like a prayer book. He is looking out this window into a sunlit day, and outside the window are these beautiful, beautiful apple trees.

You do not realize as you are looking at this child, who may be 4 years old or so, looking outside his window, you do not realize that what is walking by his window are bayonets pointed straight up, because in the way the artist has drawn the picture, the gun butts parallel the trunks of the apple trees.

You look at this picture and it causes you to pause, and in the distance in the sky, you see a small bird flying, a bird of peace.

As I watch what is happening in the Middle East and the carnage that comes over our television screens every evening, I cannot help but ask myself, what is wrong with humankind that we cannot stop the killing? Is the United States of America so strong militarily that it also cannot be strong morally and stand up and say to those involved, Cease fire? Cease fire on all sides, now, now. Would the world not stand with us? Why should the United States not just be silent but step away, step away for all the thousands and thousands and thousands of young people whose futures are being destroyed, whose countries are being leveled?

In the Palestinian Authority, in Israel, in Lebanon, I say to myself, what is it about human nature that makes us as creatures so marauding and so hateful and apparently so incapable of saying drop the bayonets, just for a day, just to see if peace is possible?

I am just appalled at what is happening. I look at our world, I look at all of its leaders, I look at all of our material wealth, all of the arms, the bunker-buster bombs that are on their way, and I say to myself, I thought the 20th century was the century of utter destruction and that we had finally contained those forces in the world that were so harmful to human life, and that when we turned the new page on the new millennium, we would usher in a millennium of peace, and now this.

□ 1645

I would urge the President of the United States to not just look at the military side of the equation but to deeply consider both political and diplomatic efforts, initially through back channels. No country should be isolated, whether it is Lebanon or Syria, or Jordan or Iran. Because out of isolation, even in a marriage, comes an icy standoff and no resolution. It is no different with countries. You cannot have that kind of icy standoff and think the world will be at peace.

I can tell you that the southern part of Lebanon that is the object of the invasion right now is an area where development was not allowed to occur, where the west literally backed away and allowed the forces of Hezbollah to gain greater and greater footing. And we are yielding the policies of isolation that allowed this to occur.

So I would say to my colleagues, I would say to people of good conscience everywhere, now is the time to stand up to stop the killing on all sides in a part of the world where the soils are blood drenched from Bethlehem to Gaza to northern Israel, and Haifa now, to southern Lebanon again. Haven't we had enough of killing one another?

I would urge the Secretary of State, the President of the United States, the Members of this Congress who are going to be leaving Washington tomorrow in this House and I guess next week in the other body, to devote your August to thinking how we can all be voices to stop the killing and to call for a ceasefire on all sides for the sake of the world. Surely we are destroying a part of the earth that will take generations to restore, and we every day are watching young people and innocence killed by the hundreds and thousands. Can't the world do better than this?

I think about the drawing of the little boy looking out the window at a beautiful sky and apple trees with the bayonets walking by.

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

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

U.N. OIL FOR FOOD SCANDAL

Mr. GARRETT of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

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

There was no objection.

Mr. GARRETT of New Jersey. Mr. Speaker, recently in a Manhattan Federal Court, we saw the first conviction worldwide in the Iraqi Oil-for-Food scandal. Billions of dollars illicitly passed between one of the world's most notorious dictators, Saddam Hussein, over 2,200 companies worldwide, and top officials of the U.N. Now, more than 3 years after the scandal was brought to light, Tongsun Park, a Korean national, is now the only individual who has been tried for those gross crimes.

Mr. Park is a familiar player in the game of corruption, having been heavily involved in the 1970s Congressional bribery scandal known as Koreagate. In that case, he saved himself from prison by turning States evidence, but instead of taking this near miss as a lesson, 20 years later, he became involved again in a decidedly more devious scheme that kept a murderous dictator living in high style with his millions of dollars from Saddam Hussein to take care of his ''expenses'' and his ''people,'' as he called them.

During this time that he was on Saddam Hussein's payroll, Park met 20 times with U.N. Secretary General Boutros-Ghali at his personal residence. Apparently, despite his corrupt past, his friendship and guidance were sought by Boutros-Ghali and his Under Secretary, Maurice Strong.

The Oil-for-Food program was the brain child of Boutros-Ghali and Strong. And shortly before the program was finalized, Strong took nearly $1 million from Park. A payment that Strong forgot until he was shown the check. Mr. Strong went on to serve Kofi Annan in a high-ranking capacity as his personal envoy to the Korean peninsula, where he was advised on North Korean issues by Park.

In all likelihood, Park, at 71 years of age, will serve extensive prison time for his crimes. Further trials for his co-conspirators are scheduled for this November.

Unfortunately, the U.N. continues to protect some of the most egregious offenders, including Oil-for-Food Director Ben Sevan, who allegedly took some $147,000 in payoffs. Sevan has claimed that he is innocent, but he has fled to Cyprus to avoid extradition. The innocent defend themselves in the court of public opinion or the court of law, but Mr. Sevan, instead, chooses to hide, living off his illicit gains.

Hundreds of other individuals inside and outside the U.N. were involved in the kickbacks and payoffs of the Oil-for-Food scandal, so I applaud the work of the Federal prosecutors who will continue to bring down indictments, but they need full cooperation of the U.N. if they are to bring justice to those individuals who contributed to Saddam Hussein's reign of terror.

Now, despite the fact that the corruption reached the highest levels of the U.N., the U.N. has yet to take up important reforms that would prevent such problems in the future. Reform, though badly needed throughout this organization, has been stalled by a group of countries that include some of the worst human rights offenders in the world, those who daily ignore the lofty goals of the U.N. If the U.N. is to fulfill its mandate to be an organization that promotes peace, freedom, and prosperity, then it must set an example of clean ethnics and not of dirty corruption that keeps men and women around the world in poverty and slavery.

The Oil-for-Food scandal completely undermined the work of the sanctions against Iraq and provided the means that, in all likelihood, continue to fuel the work of terrorists in Iraq. There must be justice for Saddam's victims, and the U.N. should not stand in the way of that justice being administered.

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.)

OIL COMPANIES REPORT RECORD PROFITS

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent to replace Mr. EMANUEL.

The SPEAKER pro tempore. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Well, today was a big day on Wall Street. The oil companies, the three biggest oil companies, have reported record profits. They are up an average of 30 percent over this quarter last year. They are making $200 million a day in profit.

Now, you would think if the price of crude oil went up, it might squeeze their margins a little bit. No, they are working hand in glove with OPEC and the other producers around the world, and they actually get a premium. For every dollar a barrel it goes up, they add on a little bit more at the pump.

They have closed down a large number of refineries across America at the recommendation of the American Petroleum Institute. They had a memo 10 years ago that they sent out to all their members in the oil industry saying there are too many refineries; the profits aren't there. If you close down some of these refineries, you could claim there was insufficient capacity and you could drive up your profits dramatically.

In the last year, profits for refineries are up 60 percent in 1 year. Now, that is $200 million a day out of the pockets of American consumers, American business, stifling our economy, causing families to cancel vacations or change their plans, and people are having a hard time filling up their tank that live in rural areas in my district just to get to work.

But the oil company execs and their stockholders, why, they are doing just fine. Exxon Mobil has so much cash on hand they don't know what to do with it; over $20 billion of cash. They are not investing in new production, new sources of energy, or new refineries. Hey, they like it the way it is with the so-called refinery shortage. It is a good excuse to gouge people at the pump.

No, they are just plowing it back into their execs pockets and hanging onto cash and then buying back stock to drive up the value of their stock options. The recently retired CEO of Exxon Mobil, Lee Raymond, just retired a couple of months ago, they gave him a $400 million retirement. And now, Mr. Raymond, Americans are struggling to fill up their gas tanks; right? It is hard to afford 50 bucks if you are driving an SUV.

But Mr. Raymond, well, he isn't too worried about that. He is out buying oil fields and gas fields in the Middle East and in Africa. An individual, one guy, got so much money from ExxonMobil from them bleeding extortionate profits out of the American people, that he can afford to buy his own oil and gas fields. And certainly, I am sure, he will sell the capacity to his former employer, ExxonMobil, who will then mark it up handsomely, and they all come out ahead. The only losers are the American consumers.

We need both a short-term and a long-term plan. We need a short-term plan to stop the profiteering and price gouging. We need to regulate oil trading like we do other commodities. We need to put a windfall tax on these companies unless they are investing their ill-gotten gains, their excess profits in new refinery capacity, in new production, and in alternate fuels.

And then we need a long-term plan to make America energy independent and energy efficient. The so-called Bush energy plan will have us importing more oil from the Middle East. Imagine that, more oil from the Middle East 10 years from today than we are today. That is a great place to be dependent upon.

The Iranians are profiting tens of billions of dollars from these high prices. Aren't they part of the axis of evil? The Bush policy is facilitating billions of dollars to the mullahs in Iran.

It is time for America to get smart, and it is time for our government to lead the way to energy efficiency, energy independence, and clamp down on big oil. But we know that won't happen, because 85 percent of the contributions of the oil and gas industry went to the Republican Party. And they were incredibly generous to the President in his last election. And, of course, both he and DICK CHENEY are from that industry.

But with a change in Congress and a change in direction, all those things could happen here and, hopefully, they will, in the interest of our country and not a treasured few of the President's friends.

CHANGING THE DEPARTMENT OF THE NAVY

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that I might speak for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I have the privilege of representing Camp Lejeune Marine Base and also Cherry Point Marine Air Station, and for 3 years this House of Representatives, in a bipartisan way, has offered and accepted and passed legislation that would create the opportunity to rename the Department of Navy to be Navy and Marine Corps.

I do not need to speak today on the history of the great Marine Corps, just like the United States Army, the United States Navy, and the United States Air Force, but, Mr. Speaker, I will say that I am hoping this year in the conference between the House and the Senate that the Senate will accept the House position.

Let me just take a couple of moments to read a comment. Again, this bill has been introduced for 3 years and the bill number has changed for 3 years, but this statement I want to read is from the Honorable Wade Sanders, Deputy Assistant Secretary of the Navy for Reserve Affairs from 1993–1998. This is what the Honorable Wade Sanders said.

''As a combat veteran and former Naval officer, I understand the importance of the team dynamic, and the importance of recognizing the contribution of team components. The Navy and Marine Corps team is just that, a dynamic partnership, and it is important to symbolically recognize the balance of that partnership.''

Mr. Speaker, there has been an Internet site that has been established, not by me or by my office, but by an independent entity. Today, I went on that Internet site and I want to read, again for the record, a statement from First Lieutenant Marine Corps Retired General Merna.

He said, ''I am one of five brothers who served in the military: Three Marines, all Korean War veterans; I am also a Vietnam veteran; two Navy brothers, one a Korean War veteran and the other paid the supreme sacrifice in World War II when his LST–577 was sunk by a Japanese submarine. Our uncle was a World War II Marine, and even our Dad spent a brief time in the Army Air Corps in World War II. It may be difficult for non-Marine families to understand why this long overdue legislation is such a burning issue for Marines; it is of paramount interest to our community of Marines.

The reasoning for this legislation comes close to explaining why this needs to be done. Simply put, Marines have earned the right to their own identity, while loving and recognizing our brothers and sisters in arms from all of the military services who already have this distinction.''

The point that he was making is, if you think about it, we have a Department of Army and a Secretary of Army. Think about it, we have a Department of the Air Force with a Secretary of the Air Force. You think about the Department of Navy, which the Navy and the Marines are a team, and yet it is a Department of Navy and a Secretary of Navy.

Mr. Speaker, I have to my left orders for a citation of a Silver Star for a Marine that was killed in Nasiriyah during this war in Iraq.

□ 1700

And it is so ironic to me that this Marine, who gave his life for this country, when his family received the letter from the Secretary of the Navy, what does it say at the top, Mr. Speaker, but the Secretary of the Navy, Washington,

D.C., with the Navy flag, recognizing that Michael Bitz gave his life for this country and that Michael Bitz was a Marine, a proud Marine.

Mr. Speaker, what we are trying to do in this House of Representatives, in a bipartisan way, is to say that this is a partnership and has been for the history of the Navy and Marine Corps, and that both should be recognized equally as a team.

And I bring to the floor again to show you what could happen, and would happen if Michael Bitz's family had received this citation of his bravery in Iraq, and that we had a Department of Navy and Marine Corps, what you would have, Mr. Speaker, and what it says here is, the Secretary of the Navy and Marine Corps, and it has the Navy flag and it has the Marine flag. That is what we are trying to do in this House of Representatives is to pay respect to the team. The team is a Navy and Marine Corps team. And I hope that the Senate this year, after 3 years will accept the House position.

Mr. Speaker, with that, before I yield back my time, I want to please ask God to bless our men and women in uniform, to please bless the families of our men and women in uniform, and to ask God to continue to bless America.

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.)

COST OF THE OCCUPATION OF IRAQ

Mr. FARR. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore (Mr. KUHL of New York). Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. FARR. Mr. Speaker, I rise tonight because in a moment, we are going to have a historical presentation here on the House floor. It is the 165th time that there has been a consistent voice about getting our troops out of Iraq and ending the war in Iraq. And I know that the voice of the distinguished colleague from California, LYNN WOOLSEY, is being listened to because, eventually, we are going to follow her advice. It is just a question of when. I hope it is not going to take another 165 days.

I would like it yield the remainder of my time to the distinguished Congresswoman representing Marin and Sonoma Counties in California for her 165th presentation on the House floor on this issue.

Ms. WOOLSEY. Mr. Speaker, I would like to thank my colleague. Thank you, Congressman FARR, for those nice words and for standing here with me this evening.

Mr. Speaker, tonight I come to the floor again, for the 165th time, to discuss the costs of the occupation of Iraq. Unfortunately, we all know too well the human cost of the occupation. More than 2,550 of our brave fighting men and women have died. Nearly 100 Iraqi civilians are killed every day.

One might be able to justify these losses if the cause were justified, if Americans were safer because of our action in Iraq. Instead, the architect of the September 11 attacks, Osama Bin Laden, is still at large. The Middle East is literally going up in flames. Terrorism is increasing throughout the world.

And when we turn our eyes home to America, we see so many squandered opportunities as a result of the Iraq occupation. If we hadn't been spending nearly $.5 trillion in Iraq, just think of what we could have done to strengthen our economy and our very own people. Think of the investments we could have made in our future right here at home.

Think about the unmet needs of our children. For the cost of 15 days of the Iraq occupation, we could immunize every child in the United States against serious childhood diseases with all recommended vaccines for the cost of $4 billion.

For the cost of almost 2 months of the occupation in Iraq, we could hire 460,000 teachers across America to lower average class sizes to 18 students, at the cost of $15 billion.

For the cost of just over 2 months of the occupation of Iraq, we could provide basic health insurance to every American child currently making due without coverage. That cost would be $17 billion.

For the cost of little more than 2 months of the occupation of Iraq, we could pay 1 year of tuition and fees at a 4-year public university for the 3 million high school seniors who graduated this spring.

For the cost of just over 5 months of the occupation of Iraq, this could provide a 20 percent pay raise to 3 million public school teachers.

Mr. Speaker, when will we learn?

Congress, over my objections and those of many of my colleagues, gave the President the authorization to go to war. We did not give him permission to occupy Iraq, nor did we give him permission to neglect American children and jeopardize their future.

It is time to bring our troops home from Iraq. It is time to focus on the education and health care of our Nation's children. The Congress can do this by passing my legislation, H.R. 5875, a bill to repeal the President's Iraq war powers. Tonight, I urge my colleagues to cosponsor this legislation. And I urge the leadership to consider this bill before we head home for the August break, before one more penny is wasted on occupying Iraq.

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

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

RECOGNIZING MR. JONATHAN STRICKLAND

Ms. MILLENDER-McDONALD. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

Ms. MILLENDER-McDONALD. Mr. Speaker, today I rise to recognize an intelligent, gifted and courageous young man, Jonathan Strickland, who is a 14-year-old African American California resident who began his training to fly airplanes and helicopters at the age of 10 at Tomorrow's Aeronautical Museum. This museum is located in my district at the Compton Woodley Airport in Compton, California, and is a nonprofit organization that strives to give adolescents the opportunity to reach their goal of flight. All program participants are able to receive free training, as long as they perform local community service. The museum director and an accomplished flight instructor, Robin Petgrave, saw fit to create this program that would serve youth in poverty stricken neighborhoods and provide them with a positive alternative away from the streets.

Jonathan Strickland has clearly benefited from Tomorrow's Aeronautical Museum. I am proud to recognize his incredible achievements. He broke four world records in June, including being the youngest person to solo both a plane and a helicopter on the same day, being the youngest African American to solo a helicopter, and to fly a helicopter internationally. He also flew a helicopter round trip internationally.

On July 1, 2006, Jonathan successfully landed back at Compton Woodley Airport and was greeted by his family, friends, the Compton Mayor Perrodin, well wishers, the media, as well as the original members of the Tuskegee Airmen. He was also presented with an application for future employment with the Los Angeles County Fire Department Operations Division.

Ambitious and brave, Jonathan Strickland was able to live his dream because of Tomorrow's Aeronautical Museum. I am proud that this wonderful program is in my Congressional district, and that it is changing young people's lives and creating ways for them to reach their potential and excel.

Jonathan's future goals include becoming a test pilot, attending the Air Force Academy, and eventually becoming a commercial pilot. And as already a world record setter, I am confident that he will surpass every goal he sets for himself.

He has recently graduated from St. Francis Cabrini School, and will enter

Cleveland High School as a freshman in September of 2006. I am anxious to see what records he will set and break as a high school student.

I join with his family, friends, his community, his supporters, and the Nation who are rightfully very proud of his accomplishments and have recognized him for his outstanding achievements.

The President has also received a letter outlining those achievements. We are extremely proud of this young man.

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 California (Mr. SCHIFF) is recognized for 5 minutes.

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

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

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

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

(Mr. FILNER 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 Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

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

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

May 12, 2006:

H.R. 3351. An Act to make technical corrections to laws relating to Native Americans, and for other purposes.

May 17, 2006:

H.R. 4297. An Act to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006.

May 18, 2006:

H.J. Res. 83. A joint resolution to memorialize and honor the contribution of Chief Justice William H. Rehnquist.

May 29, 2006:

H.R. 1499. An Act to amend the Internal Revenue Code of 1986 to allow members of the Armed Forces serving in a combat zone to make contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income.

H.R. 5037. An Act to amend titles 38 and 18, United States Code. to prohibit certain demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery, and for other purposes.

June 15, 2006:

H.R. 1953. An Act to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the ''Granite Lady'', and for other purposes.

H.R. 3829. An Act to designate the Department of Veterans Affairs Medical Center in Muskogee, Oklahoma, as the Jack C. Montgomery Department of Veterans Affairs Medical Center.

H.R. 4939. An Act making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

H.R. 5401. An Act to amend section 308 of the Lewis and Clark Expedition Bicentennial Commemorative Coin Act to make certain clarifying and technical amendments.

June 30, 2006:

H.R. 5603. An Act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

July 3, 2006:

H.R. 5403. An Act to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines, and for other purposes.

July 10, 2006:

H.R. 4912. An Act to amend section 242 of the National Housing Act to extend the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals.

July 11, 2006:

H.R. 889. An Act to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes.

July 24, 2006:

H.R. 42, An Act to ensure that the right of an individual to display the flag of the United States on residential property not be abridged.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the Senate of the following titles:

May 5, 2006:

S. 592. An Act to amend the Irrigation Project Contract Extension Act of 1998 to extend certain contracts between the Bureau of Reclamation and certain irrigation water contractors in the States of Wyoming and Nebraska.

S.J. Res. 28. A joint resolution approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower.

May 12, 2006:

S. 584. An Act to require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park.

May 18, 2006:

S. 1382. An Act to require the Secretary of the Interior to accept the conveyance of certain land. to be held in trust for the benefit of the Puyallup Indian tribe.

May 25, 2006:

S. 1165. An Act to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii.

S. 1869. An Act to reauthorize the Coastal Barrier Resources Act, and for other purposes.

May 31, 2006:

S. 1736. An Act to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies.

June 15, 2006:

S. 193. An Act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

S. 1235. An Act to amend title 38, United States Code, to improve and extend housing, insurance, outreach, and benefits programs provided under the laws administered by the Secretary of Veterans Affairs, to improve and extend employment programs for veterans under laws administered by the Secretary of Labor, and for other purposes.

S. 2803. An Act to amend the Federal Mine Safety and Health Act of 1977 to improve the safety of mines and mining.

June 23, 2006:

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''.

July 19, 2006:

S. 3504. An Act 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.

July 25, 2006:

S.J. Res. 40. A joint resolution authorizing the printing and binding of a supplement to, and revised edition of, Senate Procedure.

July 26, 2006:

S. 655. An Act to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CROWLEY (at the request of Ms. PELOSI) for today after noon and the balance of the week.

Mr. SALAZAR (at the request of Ms. PELOSI) for today after 4:00 p.m. and the balance of the week on account of attending a funeral.

Mrs. JO ANN DAVIS of Virginia (at the request of Mr. BOEHNER) for today and the balance of the week on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. WEINER, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

(The following Member (at the request of Mr. PEARCE) to revise and extend his remarks and include extraneous material:)

Mr. GILCHREST, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. GINGREY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. FARR, for 5 minutes, today.

ADJOURNMENT

Ms. MILLENDER-MCDONALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, July 28, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8821. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule — Recognition of Multilateral Clearing Organizations—received July 19, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8822. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule — Market and Large Trader Reporting (RIN: 3038-AC22) received July 19, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8823. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Regulations Regarding Employee Conflicts of Interest (RIN: 0560-AH57) received July 19, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8824. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Gypsy Moth; Regulated Articles [Docket No. 00-067-2] (RIN: 0579-AB55) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8825. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Removal of Quarantined Area in Illinois [Docket No. APHIS-2006-0105] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8826. A letter from the Chief, Program Analysis and Monitoring Board, Department of Agriculture, transmitting the Department's final rule — Child Nutrition Programs: Uniform Federal Assistance Regulations; Nondiscretionary Technical Amendments (RIN: 0584-AD16) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8827. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Brucellosis in Cattle; State and Area Classifications; Idaho [Docket No. APHIS-2006-0001] received July 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8828. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Imported Fire Ant; Addition of Counties in Arkansas and Tennessee to the List of Quarantines Areas [Docket No. APHIS-2006-0080] received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8829. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—2-Propenoic Acid, 2-Methyl, Polymer with Butyl 2-Propenoate, Methyl 2-Methyl-2-Propenoate, Methyl 2-Propenoate and 2-Propenoic Acid, Graft, Compound with 2-Amino-2-Methyl-1- Propanol; Tolerance Exemption [EPA-HQ-OPP-2006-0555; FRL-8077-4] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8830. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic, 2-Methyl-, Polymers with Ethyl Acrylate and Polythylene Glycol Methlacrylate C 18-22 Alkyl Ethers; Tolerance Exemption [EPA-HQ-OPP-2006-0550; FRL-8078-3] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8831. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Butene, Homopolymer; Tolerance Exemption [EPA-HQ-OPP-2006-0552; FRL-8075-8] received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8832. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Report to Congress on the Plutonium Storage at the Department of Energy's Savannah River Site, pursuant to Public Law 107-314, section 3183; to the Committee on Armed Services.

8833. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Types of Contracts [DFARS Case 2003-D078] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8834. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board's semiannual Monetary Policy Report pursuant to Pub. L. 106-569; to the Committee on Financial Services.

8835. A letter from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule — Commission Guidance Regarding Client Commission Practices Under Section 28(e) of the Securities Exchange Act of 1934 [Release No. 34-54165; File No. S7-13-06] received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8836. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Electronic Filing of Annual Reports (RIN: 1210-AB04) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8837. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report for the Strategic Petroleum Reserve, covering calendar year 2005, pursuant to 42 U.S.C. 6245(a); to the Committee on Energy and Commerce.

8838. A letter from the Secretary, Department of Energy, transmitting a copy of draft legislation to extend the authorization for the Federal contribution to the Uranium Enrichment Decontamination and Decommissioning (UED&D) Fund; to the Committee on Energy and Commerce.

8839. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Computer Security; Access to Information on Department of Energy Computers and Computer Systems (RIN: 1992-AA27) received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8840. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — National Institutes of Health Training Grants (RIN: 0925-AA28) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8841. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities [EPA-HQ-OAR-2005-0155; FRL-8200-2] (RIN: 2060-AK18) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8842. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York Ozone State Implementation Plan Revision; [Docket No. EPA-R02-OAR-2006-0303, FRL-8191-3] received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8843. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone; Minor Amendments to the Regulations Implementing the Allowance System for Controlling HCFC Protection, Import, and Export [EPA-HQ-OAR-2003-0130] (RIN: 2060-AL90) received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8844. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Update to Materials Incorporated by Reference [TN-200602; FRL-8197-2] received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8845. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) [EPA-HQ-OAR-2003-0138; FRL-8202-4] (RIN: 2060-AM77) received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8846. A letter from the General Counsel, Federal Energy Regulatory Commission,

transmitting the Commission's final rule — Promoting Transmission Investment through Pricing Reform [Docket No. RM06-4-000; Order No. 679] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8847. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 18-06 informing of an intent to sign the C-130J Block 7, 8, and 9 Upgrade Project Arrangement with Australia, Denmark, Italy, and the United Kingdom; to the Committee on International Relations.

8848. A letter from the Director, International Cooperation, Department of State, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 17-06 informing of an intent to sign the Research, Development, Test and Evaluation Memorandum of Agreement (MOA) between the United States and Italy; to the Committee on International Relations.

8849. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective April 16, 2006, the 15% Danger Pay Allowance for Sarajevo, Bosnia-Herzegovina was terminated based on improved security conditions, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

8850. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles and services to the Government of the United Kingdom (Transmittal No. DDTC 010-06); to the Committee on International Relations.

8851. A letter from the Secretary, Department of Transportation, transmitting the Semiannual Report of the Office of Inspector General for the period ending March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8852. A letter from the Chief Human Capital Officer, Corporation for National & Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8853. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8854. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8855. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8856. A letter from the Special Assistant to the Secreary, White House Liaison, Department of Veterans Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8857. A letter from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8858. A letter from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting the Office's final rule — Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Realitation Act of 2002 — Notification & Training (RIN: 3206-AK38) received July 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8859. A letter from the Under Secretary for Oceans and Atmosphere, Department of Commerce, transmitting the Department's report regarding the activities of the Northwest Atlantic Fisheries Organization for 2005, pursuant to 16 U.S.C. 5601 et. seq.; to the Committee on Resources.

8860. A letter from the Director, Minerals Management Service, Department of the Interior, transmitting the Department's final rule — Oil, Gas, and Sulfur Operations and Leasing in the Outer Continental Shelf (OCS) — Recovery of Costs Related to the Regulation of Oil and Gas Activities on the OCS (RIN: 1010-AD23) received July 19, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8861. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Halibut Fisheries; Guideline Harvest Levels for the Guided Recreational Halibut Fishery; Correction [Docket No. 060215036-6178-02, I.D. 101501A] (RIN: 0648-AU30) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8862. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No. 30109004-6164-02; I.D. 010406E] (RIN: 0648-AT76) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8863. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Agency's final rule — Fisheries of the Northeastern United States; Final 2006-2008 Specifications for the Spiny Dogfish Fishery [Docket No. 060418103-6181-02; I.D. 040706F] (RIN: 0648-AT59) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8864. A letter from the Staff Director, United States Sentancing Commission, transmitting a copy of the 2005 Annual Report and Sourcebook of Federal Sentancing Statistics, pursuant to 28 U.S.C. 994(w)(3); to the Committee on the Judiciary.

8865. A letter from the Assistant Secretary for the Army for Civil Works, Department of Defense, transmitting a legislative proposal regarding the financing of a capital improvement project at the Washington Aqueduct drinking water facility in support of the President's Fiscal Year 2007 Budget; to the Committee on Transportation and Infrastructure.

8866. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety and Security Zones; Tall Ships Celebration 2006, Great Lakes, Cleveland, Ohio, Bay City, Michigan, Green Bay, Wisconsin, Sturgeon Bay, Wisconsin, Chicago, Illinois [CGD09-06-032] (RIN: 1625-AA00) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8867. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Coast Guard Organization; Activities Europe [USCG-2006-24520] (RIN: 1625-AB03) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8868. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Chesapeake Bay, Cape Charles, VA [CGD05-06-036] (RIN: 1625-AA08) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8869. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Pamlico River, Washington, North Carolina [CGD05-06-033] (RIN: 1625-AA08) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8870. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Atlantic Ocean, Atlantic City, NJ [CGD05-06-037] (RIN: 1625-AA08) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8871. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Mill Creek, Fort Monroe, Hampton, Virginia [CGD05-06-025] (RIN: 1625-AA08) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8872. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Broward County Bridges, Atlantic Intracoastal Waterway, Broward County, FL [CGD07-04-136] (RIN: 1625-AA09) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8873. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AICW), Elizabeth River, Southern Branch, Virginia [CGD05-05-041] (RIN: 1625-AA09) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8874. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; James River, between Isle of Wight and Newport News, VA [CGD05-06-039] (RIN: 1625-AA09) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8875. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, Jones Beach, NY [CGD01-06-078] received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8876. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Long Island, New York Waterway from East Rockaway Inlet to Shinnecock Canal, Hempstead, NY [CGD01-06-077] received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8877. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, Jones Beach, NY [CGD01-06-76] received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8878. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Potomac River, between Maryland and Virginia [CGD05-06-070] (RIN: 1625-AA09) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8879. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Potomac River, between Maryland and Virginia [CGD05-06-071] (RIN: 1625-AA09) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8880. A letter from the Docket Clerk, FRA, Department of Transportation, transmitting the Department's final rule — Locomotive Crashworthiness [Docket No. FRA-2004-17645; Notice No. 3] (RIN: 2130-AB23) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8881. A letter from the Attorney, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Infectious Substances; Harmonization with the United Nations Recommendations [Docket No. PHMSA-2004-16895 (HM-226A)] (RIN: 2137-AD93) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8882. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Motorcyclist Safety Grant Program [Docket No. NHTSA-2006-23700] (RIN: 2127-AJ86) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8883. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30494; Amdt. No. 3167] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8884. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30493; Amdt. No. 3166] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8885. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30495; Amdt. No. 461] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8886. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Pompano Beach, FL; Amendment of Class D Airspace; Fort Lauderdale Executive Airport, FL [Docket No. FAA-2006-24424; Airspace Docket No. 06-ASO-6] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8887. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Vandenberg AFB, CA [Docket No. FAA-2006-24064; Airspace Docket No. 06-AWP-3] (RIN: 2120-AA66) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8888. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Removal of Class D and E Airspace; Roosevelt Roads, PR Amendment of Class E Airspace; Isla de Vieques, PR [Docket No. FAA-2006-24391; Airspace Docket No. 06-ASO-5] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8889. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Offshore Airspace Area; Control 1487L; AK [Docket No. FAA-2005-22024; Airspace Docket No. 06-AAL-08] (RIN: 2120-AA66) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8890. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Control 1234L Offshore Airspace Area; AK [Docket No. FAA-2006-23708; Airspace Docket No. 06-AAL-1] (RIN: 2120-AA66) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8891. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to Class E Airspace; Jackson, WY [Docket No. FAA-2005-22665; Airspace Docket No. 05-ANM-13] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8892. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Wellington Municipal Airport, KS [Docket No. FAA-2006-24869; Airspace Docket No. 06-ACE-4] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8893. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Herlong, CA [Docket No. FAA-2004-19684; Airspace Docket No. 04-ANM-24] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8894. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Offshore Airspace Area 1485L and Revision of Control 1485H; Barrow, AK [Docket No. FAA-2006-23872; Airspace Docket No. 06-AAL-9] (RIN: 2120-AA66) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8895. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Low Altitude Reporting Point; AK [Docket No. FAA-2005-225010; Airspace Docket No. 06-AAL-17] (RIN: 2120-AA66) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8896. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Keokuk Municipal Airport, IA [Docket No. FAA-2006-25009; Airspace Docket No. 06-ACE-7] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8897. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Scottsbluff, Western Nebraska Regional Airport/William B. Helig Field, NE [Docket No. FAA-2006-25007; Airspace Docket No. 06-ACE-5] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8898. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Togiak Village, AK [Docket No. FAA-2006-23713; Airspace Docket No. 06-AAL-06] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8899. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Legal Description of Class D and E Airspace; Fairbanks, Fort Wainwright Army Airfield, AK [Docket No. FAA-2006-24813; Airspace Docket No. 06-AAL-16] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8900. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Huslia, AK [Docket No. FAA-2006-24004; Airspace Docket No. 06-AAL-13] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8901. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Legal Description of Class D and E Airspace; Fairbanks, Fort Wainwright Army Airfield, AK [Docket No. FAA-2006-24813; Airspace Docket No. 06-AAL-16] received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8902. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of VOR Federal Airways; and Establishment of Area Navigation Route; NC [Docket No. FAA-2006-24027; Airspace Docket No. 06-ASO-1] (RIN: 2120-AA66) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8903. A letter from the Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Preemption Determinations; Procedural Regulations [Docket No. PHMSA-2006-24824] (RIN: 2137-AE18) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8904. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation Instrument Flight Rules Terminal Transition Route (RITTR); T-210; Jacksonville, FL [Docket No. FAA-2005-23436; Airspace Docket No. 05-ASO-10] (RIN: 2120-AA66) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8905. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation Instrument Flight Rules Terminal Transition Route (RITTR) T-210; Jacksonville, FL [Docket No.

FAA-2005-23436; Airspace Docket No. 05-ASO-10] (RIN: 2120-AA66) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8906. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Engine Components Inc. (ECi) Reciprocating Engine Cylinder Assemblies [Docket No. FAA-2005-22358; Directorate Identifier 2005-NE-20-AD; Amendment 39-14632; AD 2006-12-07] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8907. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS350B, BA, B1, B2, B3, C, D, and D1 Helicopters [Docket No. FAA-2006-23888; Directorate Identifier 2005-SW-03-AD; Amendment 39-14622; AD 2006-11-17] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8908. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200 and -300 Series Airplanes [Docket No. FAA-2005-22488; Directorate Identifier 2005-NM-151-AD; Amendment 39-14637; AD 2000-11-19-R1] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8909. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4 Series Airplanes; Model A300 B4-600 Series Airplanes; Model A300 C4-605R Variant F Airplanes; Model A310-200 Series Airplanes; and Model A310-300 Series Airplanes [Docket No. FAA-2006-24200; Directorate Identifier 2006-NM-012-AD; Amendment 39-14630; AD 2006-12-05] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8910. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, -500, -700, and -800 Series Airplanes; Model 747-400 and -400F Series Airplanes; Model 757-200 Series Airplanes; Model 767-300 Series Airplanes; and Model 777-300 Series Airplanes; and Model 777-300 Series Airplanes Equipped with Certain Driessen or Showa Galleys or Driessen Closets [Docket No. FAA-2005-22628; Directorate Identifier 2005-NM-056-AD; Amendment 39-14631; AD 2006-12-06] (RIN: 2120-AA64) Received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8911. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DORNIER LUFTFAHRT GmbH Models 228-100, 228-101, 228-200, 228-201, 228-202, and 282-212 Airplanes [Docket No. FAA-2006-24095; Directorate Identifier 2006-CE-21-AD; Amendment 39-14624; AD 2006-11-19] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8912. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Corporation Ltd. Model 750XL Airplanes [Docket No. FAA-2006-24081; Directorate Identifier 2006-CE-15-AD; Amendment 39-14623; AD 2006-11-18] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8913. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-200C Series Airplanes [Docket No. FAA-2006-24245; Directorate Identifier 2005-NM-166-AD; Amendment 39-14643; AD 2006-12-17] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8914. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2 and A300 B4 Series Airplanes; A300 B4-600, B4-600R, and F4-600R Series Airplanes; and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No. FAA-2004-19002; Directorate Identifier 2003-NM-27-AD; Amendment 39-14639; AD 2006-12-13] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8915. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira del Aeronautica S.A. (EMBRAER) Model EMB-120, -120ER, -120FC, -120QC, and -120RT Airplanes [Docket No. FAA-2006-24076; Directorate Identifier 2006-NM-015-AD; Amendment 39-14640; AD 2006-12-14] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8916. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamilton Sundstrand Model 14RF-19 Propellers [Docket No. FAA-2005-21691; Directorate Identifier 2005-NE-13-AD; Amendment 39-14645; AD 2006-12-19] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8917. 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-2006-24365; Directorate Identifier 2006-NM-022-AD; Amendment 39-14641; AD 2006-12-15] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8918. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-300, 747-400, 747-400D, and 747SR Series Airplanes [Docket No. FAA-2006-24102; Directorate Identifier 2005-NM-244-AD; Amendment 39-14638; AD 2006-12-12] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8919. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600R Series Airplanes, A300 C4-605R Variant F Airplanes, A300 F4-600R Series Airplanes; and Model A310-300 Series Airplanes [Docket No. FAA-2006-24103; Directorate Identifier 2005-NM-241-AD; Amendment 39-14625; AD 2006-12-01] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8920. 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 Avro 146-RJ Airplanes [Docket No. FAA-2005-23284; Directorate Identifier 2005-NM-163-AD; Amendment 39-14634; AD 2006-12-09] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8921. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400 Series Airplanes [Docket No. FAA-2005-23250; Directorate Identifier 2005-NM-150-AD; Amendment 39-14635; AD 2006-12-10] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8922. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Goodrich Evacuation Systems Approved Under Technical Standard Order (TSO) TSO-C69b and Installed on Airbus Model A330-200 and -300 Series Airplanes, Model A340-200 and -300 Series Airplanes, and Model A340-541 and -642 Airplanes [Docket No. FAA-2006-23890; Directorate Identifier 2005-NM-229-AD; Amendment 39-14633; AD 2006-12-08] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8923. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes [Docket No. FAA-2005-20626; Directorate Identifier 2004-NM-243-AD; Amendment 39-14636; AD 2006-12-11] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8924. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, -314, and -315 Airplanes; Equipped with Certain Cockpit Door Installations [Docket No. FAA-2006-24411; Directorate Identifier 2006-NM-033-AD; Amendment 39-14642; AD 2006-12-16] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8925. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Goodrich Evacuation Systems Approved Under Technical Standard Order (TSO) TSO-C69b and Installed on Airbus Model A330-200 and -300 Series Airplanes, Model A340-200 and -300 Series Airplanes, and Model A340-541 and -642 Airplanes [Docket No. FAA-2006-23890; Directorate Identifier 2005-NM-229-AD; Amendment 39-14633; AD 2006-12-08] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8926. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 Series Airplanes Modified by Supplemental Type Certificate (STC) SA979NE [Docket No. FAA-2006-25175; Directorate Identifier 2006-NM-099-AD; Amendment 39-14670; AD 2006-13-17] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8927. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Model 222, 222B, 222U, 230, and

430 Helicopters [Docket No. FAA-2006-25098; Directorate Identifier 2006-SW-12-AD; Amendment 39-14667; AD 2006-13-14] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8928. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No. FAA-2006-24949; Directorate Identifier 2006-NM-110-AD; Amendment 39-14626; AD 2006-12-02] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8929. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No. FAA 2006-25030; Directorate Identifier 2006-NM-109-AD; Amendment 39-14649; AD 2006-12-23] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8930. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No. FAA-2006-24949; Directorate Identifier 2006-NM-110-AD; Amendment 39-14626; AD 2006-12-02] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8931. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Model HS.125 Series 700A and 700B Airplanes; Model BAe.125 Series 800A (including variants C-29A and U-125), 800B, 1000A, and 1000B Airplanes; and Hawker 800 (including variant U-125A), 800XP, and 1000 Airplanes [Docket No. FAA-2006-25011; Directorate Identifier 2006-NM-118-AD; Amendment 39-14646; AD 2006-12-20] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8932. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model EC130 B4 Helicopters [Docket No. FAA-2006-24807; Directorate Identifier 2005-SW-41-AD; Amendment 39-14603; AD 2006-10-19] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8933. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS355E, F, F1, F2, and N Helicopters [Docket No. 2003-SW-10-AD; Amendment 39-14621; AD 2003-21-09 R1] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8934. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Model S-92A Helicopters [Docket No. FAA-2006-24875; Directorate Identifier 2006-SW-03-AD; Amendment 39-14618; AD 2006-11-14] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8935. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Galaxy and Model Gulfstream 200 Airplanes [Docket No. FAA-2005-23478; Directorate Identifier 2005-NM-175-AD; Amendment 39-14602; AD 2006-10-18] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8936. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. T5311A, T5311B, T5313B, T5317A, T5317A-1, and T5317B Series Turboshaft Engines and Lycoming Former Military T53-L-11B, T53-L-11D, T53-L-13B, T53-L-13B/D, and T53-L-703 Series Turboshaft Engines [Docket No. 98-ANE-72-AD; Amendment 39-14620; AD 2006-11-16] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8937. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2005-22510; Directorate Identifier 2004-NM-32-AD; Amendment 39-14600; AD 2006-10-16] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8938. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-10, DC-9-20, DC-9-30, DC-9-40, and DC-9-50 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; Model MD-88 Airplanes; Model MD-90-30 Airplanes; and Model 717-200 Airplanes [Docket No. FAA-2005-22254; Directorate Identifier 2005-NM-001-AD; Amendment 39-14598; AD 2006-10-14] (RIN: 2120-AA64) received 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8939. 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 Airplanes and Model Avro 146-RJ Airplanes [Docket No. FAA-2005-23215; Directorate Identifier 2005-NM-212-AD; Amendment 39-14596; AD 2006-10-12] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8940. 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-2005-22529; Directorate Identifier 2005-NM-099-AD; Amendment 39-14592; AD 2006-10-08] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8941. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamilton Sundstrand Model 14RF-9 Propellers [Docket No. FAA-2006-24517; Directorate Identifier 2006-NE-18-AD; Amendment 39-14591; AD 2006-10-07] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8942. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200B, 747-200C, 747-200F, 747-300, 747-400, and 747SP Series Airplanes [Docket No. FAA-2006-23819; Directorate Identifier 2005-NM-223-AD; Amendment 39-14588; AD 2006-10-04] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8943. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB-Fairchild SF340A (SAAB/SF340A) and SAAB 340B Airplanes [Docket No. FAA-2006-24075; Directorate Identifier 2005-NM-235-AD; Amendment 39-14589; AD 2006-10-05] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8944. 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-2006-23936; Directorate Identifiier 2005-NM-215-AD; Amendment 39-14590; AD 2006-10-06] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8945. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada (PWC) PW535A Turboshaft Engines [Docket No. FAA-2006-24117; Directorate Identifier 2006-NE-07-AD; Amendment 39-14570; AD 2006-08-13] (RIN: 2120-AA64) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8946. A letter from the Chief, Regulations Mgt., Office of Regulation Policy T Mgt., Department of Veterans Affairs, transmitting the Department's final rule — Definition of Psychosis for Certain VA Purposes (RIN: 2900-AK21) received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

8947. A letter from the Deputy Director, Regulations & Rulings Div., Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Expansion of the Livermore Valley Viticultural Area (2002R-202R) [T.D. TTB-47; Re: Notice No. 43] (RIN: 1513-AA54) received July 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8948. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Expansion of San Francisco Bay and Central Coast Viticultural Areas (2002R-202R) [T.D. TTB-48; Re: Notice No. 44] (RIN: 1513-AA55) received July 12, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8949. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Realignment of the Santa Lucia Highlands and Arroyo Seco Viticultural Areas (2003R-083R) [T.D. TTB-49; Re: Notice No. 29 and 35] (RIN: 1513-AA72) received July 12. 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8950. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the Saddle Rock-Malibu Viticultural Area (2003R-110P) [T.D. TTB-52; Re: Notice No. 55] (RIN: 1513-AB15) received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8951. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's

final rule — Establishment of the Eola-Amity Hills Viticultural Area (2002R-216P) received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8952. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the Alta Mesa, Borden Ranch, Clements Hills, Cosumnes River, Jahant, Mokelumne River, and Sloughhouse Viticultural Areas [T.D. TTB-50; RE: Notice No. 50] (RIN: 1513-1182) received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8953. A letter from the Assistant Chief Counsel, Employee Benefits, Internal Revenue Service, transmitting the Service's final rule — Interim Guidance on the Application of Section 409A to Accelerated Payments to Satisfy Federal Conflict of Interest Requirements [Notice 2006-64] received July 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8954. A letter from the Assistant Chief Counsel, Employee Benefits, Internal Revenue Service, transmitting the Service's final rule — Industry Issue Resolution Regarding the Work Opportunity and Welfare-to-Work Tax Credits (Announcement 2006-49) received July 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8955. A letter from the Assistant Chief Counsel, Employee Benefits, Internal Revenue Service, transmitting the Service's final rule — Definition of ''amount involved'' and ''correction'' (Rev. Rul. 2006-38) received July 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8956. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Field Directive on Asset Class and Depreciation for Casino Construction Costs — received July 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8957. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Effect of Elections in Certain Multi-Step Transactions [TD 9271] (RIN: 1545-BB68) received July 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8958. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Disclosures of Return Information by Certain Officers and Employees for Investgative Purposes [TD 9274] (RIN: 1545-BB16) received July 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8959. A letter from the Chief, Publications & Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2006-39) received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8960. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reporting of Gross Proceeds Payments to Attorneys [TD 9270] (RIN: 1545-AW72) received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8961. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Excise Taxes With Respect To Prohibited Tax Shelter Transactions to Which Tax-Exempt Entities Are Parties and Related Disclosure Requirements [Notice 2006-65] received July 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8962. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Employer Comparable Contributions to Health Savings Accounts under Section 4980G [TD 9277] (RIN: 1545-BE30) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8963. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rate Update [Notice 2006-66] received July 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8964. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Coordinated Issue: Claim Revenue under a Long-term Contract (Uniform Issue List Number: 460.02-04) received July 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8965. A letter from the Secretary, Department of Agriculture, transmitting the Department's report on the Department's contracting out policies, including agency budgets for contracting out, as required by Pub. L. 109-97, Title 1; jointly to the Committees on Appropriations and Government Reform.

8966. A letter from the Secretary, Department of Agriculture, transmitting the Department's report on the Department's contracting out policies, including agency budgets for contracting out, as required by Pub. L. 109-97, Title 1; jointly to the Committees on Appropriations and Government Reform.

8967. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report assessing the voting practices of the governments of UN members states in the General Assembly and Security Council for 2005, and evaluating the actions and responsiveness of those governments to United States policy on issues of special importance to the United States, pursuant to Public Law 101-167, section 527(a) Public Law 101-246, section 406; jointly to the Committees on International Relations and Appropriations.

8968. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 7(a) of the Jerusalem Embassy Act of 1995 (Pub. L. 104-45), a copy of Presidential Determination No. 2006-15 suspending the limitation on the obligation of the State Department Appropriations contained in sections 3(b) and 7(b) of that Act for six months as well as the periodic report provided for under Section 6 of the Act covering the period from December 15, 2005 to the present; jointly to the Committees on International Relations and Appropriations.

8969. A letter from the Ambassador, Department of State, transmitting a report required by Section 653(a) of the Foreign Assistance Act of 1961, as amended, for the funds appropriated by the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004, as enacted in Public Law 108-199, for Development Assistance and Child Survival and Health Programs; jointly to the Committees on International Relations and Appropriations.

8970. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Determination and Memorandum of Justification pursuant to Section 589 of the Foreign Operations, Export Financing and Related Program Appropriations Act of 2006, Pub. L. 109-102; jointly to the Committees on International Relations and Appropriations.

8971. A letter from the Deputy Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Report on the Federal Work Force for Fiscal Year 2005, pursuant to 42 U.S.C. 2000e-4(e); jointly to the Committees on Government Reform and Education and the Workforce.

8972. A letter from the President & CEO, Overseas Private Investment Corporation, transmitting the Corporation's annual Management Report for FY 2005, Performance Budget for FY 2007, Performance and Accountability Report for FY 2005, and Report on Development and U.S. Effects on OPIC's FY 2005 projects and Report on Cooperation with Private Insurers, pursuant to 31 U.S.C. 9106; jointly to the Committees on Government Reform and International Relations.

8973. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of a draft bill entitled, ''To implement the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean''; jointly to the Committees on Resources and the Judiciary.

8974. A letter from the Director, Office of National Drug Control Policy, transmitting the Administration's Synthetic Drug Control Strategy; jointly to the Committees on the Judiciary and Energy and Commerce.

8975. A letter from the Secretary, Department of Homeland Security, transmitting notification of the actions the Secretary has taken regarding security measures at Port-au-Prince International Airport, Port-au-Prince, Haiti, pursuant to 49 U.S.C. 44907(d)(1); jointly to the Committees on Transportation and Infrastructure and International Relations.

8976. A letter from the Secretary, Department of Labor, transmitting a copy of a draft bill entitled, ''Unemployment Compensation Program Integrity Act of 2006''; jointly to the Committees on Ways and Means and Government Reform.

8977. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting a copy of the Commission's ''June 2006 Report to the Congress: Increasing the Value of Medicare''; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OXLEY: Committee on Financial Services. H.R. 5039. A bill to establish a program to revitalize rural multifamily housing assisted under the Housing Act of 1949; with an amendment (Rept. 109–604). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 5347. A bill to reauthorize the HOPE VI program for revitalization of public housing projects (Rept. 109–605). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 958. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 109–606). 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. KENNEDY of Minnesota (for himself and Mr. CASE):

H.R. 5915. A bill to require that the Teacher Incentive Fund of the Department of Education and other programs to support merit-based teacher compensation systems award its grant funds to support compensation systems that are based primarily or exclusively on student learning gains or maintenance of high student learning gains, or both; to the Committee on Education and the Workforce.

By Mr. DINGELL (for himself, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. MARKEY, Mr. BOUCHER, Mr. TOWNS, Mr. PALLONE, Mr. GORDON, Mr. RUSH, Ms. ESHOO, Mr. STUPAK, Mr. ENGEL, Mr. WYNN, Mr. GENE GREEN of Texas, Mr. STRICKLAND, Ms. DEGETTE, Mrs. CAPPS, Mr. DOYLE, Mr. ALLEN, Mr. DAVIS of Florida, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. GONZALEZ, Mr. INSLEE, Ms. BALDWIN, and Mr. ROSS):

H.R. 5916. A bill to amend part B of title XVIII of the Social Security Act to provide for an increase in payment for physicians' services under the Medicare Program for 2007 and 2008; 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. SODREL (for himself, Mr. HUNTER, Mr. MCHENRY, Mr. ROHRABACHER, Mr. KUHL of New York, Mrs. BLACKBURN, Mr. PENCE, Mr. SIMMONS, Mr. GERLACH, Mr. PAUL, and Ms. HARRIS):

H.R. 5917. A bill to amend the Internal Revenue Code of 1986 to provide that tips received for certain services shall not be subject to income or employment taxes; to the Committee on Ways and Means.

By Mr. PITTS (for himself, Mr. LANTOS, Mr. PENCE, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. MCGOVERN, Mr. HONDA, Mr. WAMP, Mr. MCCOTTER, Mr. BOEHLERT, Mr. PAYNE, and Mr. ROHRABACHER):

H.R. 5918. A bill to amend the Immigration and Nationality Act to protect vulnerable refugees and asylum seekers; to the Committee on the Judiciary.

By Mr. LIPINSKI (for himself and Mr. OSBORNE):

H.R. 5919. A bill to empower parents to protect children from increasing depictions of indecent material on television; to the Committee on Energy and Commerce.

By Mr. WOLF (for himself, Mr. SCHWARZ of Michigan, Mr. TOM DAVIS of Virginia, Mr. MORAN of Virginia, Mr. VAN HOLLEN, Mr. HOYER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. JONES of North Carolina, Ms. NORTON, Mr. MCCOTTER, and Mr. SIMMONS):

H.R. 5920. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain combat zone compensation of civilian employees of the United States; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. COBLE, and Mr. SMITH of Texas):

H.R. 5921. A bill to amend titles 17 and 18, United States Code, to strengthen the protection of intellectual property, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY:

H.R. 5922. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish additional authorities to ensure the safe and effective use of drugs, to establish whistleblower protections for certain individuals, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ACKERMAN (for himself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY, Mr. MEEKS of New York, Mr. CROWLEY, Mr. NADLER, Mr. WEINER, Mr. TOWNS, Mr. OWENS, Ms. VELÁZQUEZ, Mr. FOSSELLA, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mrs. KELLY, Mr. SWEENEY, Mr. MCNULTY, Mr. HINCHEY, Mr. MCHUGH, Mr. BOEHLERT, Mr. WALSH, Mr. REYNOLDS, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. KUHL of New York):

H.R. 5923. A bill to designate the facility of the United States Postal Service located at 29-50 Union Street in Flushing, New York, as the ''Dr. Leonard Price Stavisky Post Office''; to the Committee on Government Reform.

By Mr. BAKER:

H.R. 5924. A bill to amend the Small Business Act to provide for loan guarantees for certain private disaster loans; to the Committee on Small Business.

By Mr. BARTLETT of Maryland:

H.R. 5925. A bill to provide for Federal research, development, demonstration, and commercial application activities to enable the development of farms that are net producers of both food and energy, and for other purposes; to the Committee on Science, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY:

H.R. 5926. A bill to provide for the energy independence of the United States; to the Committee on Ways and Means, and in addition to the Committees on Resources, Energy and Commerce, and Science, 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. CARDIN:

H.R. 5927. A bill to provide energy independence to Americans, to increase the efficiency and decrease the environmental impact of America's energy policy, to increase America's research and development in energy, and to encourage the development and use of renewable forms of energy; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, Government Reform, and Science, 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. CHANDLER (for himself, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Ms. MCCOLLUM of Minnesota, Mr. CONYERS, Mr. HOLT, Mr. HINOJOSA, Mr. GONZALEZ, Mr. CASE, Mr. OWENS, Mr. HOLDEN, Mr. DAVIS of Illinois, Mrs. TAUSCHER, Mr. MOORE of Kansas, Mr. STARK, Mr. COSTA, and Mr. PAYNE):

H.R. 5928. A bill to direct the Secretary of Education to make grants and low-interest loans to local educational agencies for the construction, modernization, or repair of public kindergarten, elementary, and secondary educational facilities, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COSTELLO (for himself and Mr. CLAY):

H.R. 5929. A bill to designate the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the ''Katherine Dunham Post Office Building''; to the Committee on Government Reform.

By Mr. CRAMER:

H.R. 5930. A bill to establish the Muscle Shoals National Heritage Area in the State of Alabama, and for other purposes; to the Committee on Resources.

By Mr. DOYLE (for himself, Mrs. BONO, Mr. VAN HOLLEN, Mr. WYNN, and Mr. MCHUGH):

H.R. 5931. A bill to improve efficiency in the Federal Government through the use of high-performance green buildings, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Government Reform, Science, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVERETT (for himself, Mr. BONNER, and Mr. ROGERS of Alabama):

H.R. 5932. A bill to amend the Internal Revenue Code of 1986 to authorize agricultural producers to establish and contribute to tax-exempt farm risk management accounts in lieu of obtaining federally subsidized crop insurance or noninsured crop assistance, to provide for contributions to such accounts by the Secretary of Agriculture, to specify the situations in which amounts may be paid to producers from such accounts, and to limit the total amount of such distributions to a producer during a taxable year, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FEENEY (for himself and Mr. MEEKS of New York):

H.R. 5933. A bill to provide for the admission to the United States of nonimmigrant business facilitation visitors; to the Committee on the Judiciary.

By Mr. GOODE:

H.R. 5934. A bill to amend the Small Business Act to revise the definition of a HUBZone with respect to counties that are highly rural but adjacent to urban areas; to the Committee on Small Business.

By Mr. GREEN of Wisconsin:

H.R. 5935. A bill to amend title XVIII of the Social Security Act to provide for an adjustment to the reduction of Medicare resident positions based on settled cost reports; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 5936. A bill to amend title II of the Social Security Act to credit prospectively individuals serving as caregivers of dependent relatives with deemed wages for up to five years of such service; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 5937. A bill to assure equitable treatment in health care coverage of prescription drugs under group health plans, health insurance coverage, Medicare and Medicaid managed care arrangements, Medigap insurance coverage, and health plans under the Federal employees' health benefits program (FEHBP); to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY:

H.R. 5938. A bill to reduce childhood obesity, and for other purposes; to the Committee on Energy and Commerce, 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. DANIEL E. LUNGREN of California (for himself, Mr. COBLE, Mr. SMITH of Texas, and Mr. FORBES):

H.R. 5939. A bill to amend title 18, United States Code, to improve the criminal law relating to terrorism, and for other purposes; to the Committee on the Judiciary.

By Mrs. MALONEY (for herself, Mr. OSBORNE, and Mr. HINCHEY):

H.R. 5940. A bill to direct the Secretary of Health and Human Services to conduct or support a comprehensive study comparing total health outcomes, including risk of autism, in vaccinated populations in the United States with such outcomes in unvaccinated populations in the United States, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Mr. GEORGE MILLER of California, Mr. BECERRA, Ms. DELAURO, Mr. GRIJALVA, Mr. CLAY, Mr. MCDERMOTT, Mr. SHAYS, and Mr. SANDERS):

H.R. 5941. A bill to establish certain requirements relating to the continuation of the Survey of Income and Program Participation; to the Committee on Government Reform.

By Mr. MARSHALL:

H.R. 5942. A bill to require Congressional approval for implementation of a severity-adjusted inpatient prospective payment system for rural hospitals under the Medicare Program; to the Committee on Ways and Means.

By Mr. MCCAUL of Texas (for himself, Mr. KING of New York, Mr. ROGERS of Alabama, Mr. REICHERT, Mr. POE, and Mr. JINDAL):

H.R. 5943. A bill to amend the Homeland Security Act of 2002 to prevent waste, fraud, and abuse in emergency assistance programs administered by the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 5944. A bill to amend title 18, United States Code, to protect our children from child pornographers; to the Committee on the Judiciary.

By Mr. PALLONE (for himself and Mr. STARK):

H.R. 5945. A bill to amend title XI of the Social Security Act to protect the privacy of drug prescriber information; to the Committee on Energy and Commerce.

By Mr. POMBO (for himself, Mr. ABERCROMBIE, Mr. YOUNG of Alaska, Mr. SAXTON, and Mr. GILCHREST):

H.R. 5946. A bill to amend Magnuson-Stevens Fishery Conservation and Management Act to authorize activities to promote improved monitoring and compliance for high seas fisheries, or fisheries governed by international fishery management agreements, and for other purposes; to the Committee on Resources.

By Mr. SCOTT of Virginia (for himself, Mr. GRIJALVA, Mr. BISHOP of Georgia, Mrs. MALONEY, Mr. MCGOVERN, Mr. LYNCH, Mr. PAYNE, Mr. CONYERS, Ms. LEE, and Mr. CLEAVER):

H.R. 5947. A bill to correct an inequity in eligibility for military retired pay based on nonregular service in the case of certain members of the reserve components completing their reserve service before 1966, and for other purposes; to the Committee on Armed Services.

By Mr. SMITH of New Jersey (for himself, Mr. LANTOS, and Mr. MCCOTTER):

H.R. 5948. A bill to reauthorize the Belarus Democracy Act of 2004; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington (for himself and Mr. DICKS):

H.R. 5949. A bill to authorize a major medical facility project for the Department of Veterans Affairs at the Department of Veterans Affairs Medical Center, American Lake, Washington; to the Committee on Veterans' Affairs.

By Mr. UDALL of New Mexico:

H.R. 5950. A bill to repeal certain tax subsidies enacted by the Energy Policy Act of 2005 for oil and gas, to allow a credit against income tax for farm diesel expenses, and to allow a credit to farmers who produce biodiesel and agri-biodiesel; to the Committee on Ways and Means.

By Mr. UDALL of New Mexico (for himself, Ms. WOOLSEY, and Mr. MORAN of Virginia):

H.R. 5951. A bill to improve the health of Americans and reduce health care costs by reorienting the Nation's health care system toward prevention, wellness, and self care; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself, Mr. OWENS, Mr. SERRANO, Mr. RANGEL, Mr. LIPINSKI, and Ms. BORDALLO):

H.R. 5952. A bill to increase access to and consumption of fresh fruits, vegetables, and healthy alternatives in low-income communities with high incidences of obesity and obesity-related disease; to the Committee on Energy and Commerce, and in addition to the Committees on Small Business, and 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. WYNN (for himself, Mrs. BONO, Mr. DENT, Mr. TERRY, Mr. CALVERT, Mr. BUYER, Mr. INGLIS of South Carolina, Mr. RUSH, Mr. MEEHAN, Mr. ROSS, and Mr. LARSON of Connecticut):

H.R. 5953. A bill to provide for the establishment of the Commission for the Deployment of Hydrogen and Fuel Cells, and for other purposes; to the Committee on Science, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JO ANN DAVIS of Virginia:

H. Con. Res. 455. Concurrent resolution recognizing the role of the National Guard and State volunteers in protecting our Nation's borders.

By Mrs. LOWEY:

H. Con. Res. 457. Concurrent resolution supporting the goals and ideals of National Celiac Awareness Month, and for other purposes; to the Committee on Energy and Commerce.

By Mr. VAN HOLLEN:

H. Con. Res. 458. Concurrent resolution congratulating the National Library of Medicine on the occasion of its 50th anniversary; to the Committee on Energy and Commerce.

By Mr. BOEHNER:

H. Res. 957. A resolution directing the Sergeant at Arms of the House of Representatives to deliver the mace of the House of Representatives to the Secretary of the Smithsonian Institution for necessary repairs; considered and agreed to.

By Mr. CAMP of Michigan (for himself, Mr. HERGER, Mr. MCDERMOTT, Mr. OBERSTAR, Ms. GINNY BROWN-WAITE of Florida, Mr. WILSON of South Carolina, Mr. CARNAHAN, Mr. ROGERS of Michigan, Mr. SHAW, and Mr. ENGLISH of Pennsylvania):

H. Res. 959. A resolution recognizing and supporting the success of the Adoption and Safe Families Act of 1997 in increasing adoption and the efforts the Act has spurred including National Adoption Day and National Adoption Month, and encouraging adoption throughout the year; to the Committee on Ways and Means.

By Mr. FLAKE (for himself, Mr. PENCE, Mrs. MYRICK, and Mr. CASE):

H. Res. 960. A resolution amending the Rules of the House of Representatives to limit gifts to Members, officers, and employees of the House from State and local governments; to the Committee on Rules.

By Ms. ROS-LEHTINEN (for herself, Mr. GENE GREEN of Texas, Mr. TIBERI, Mr. MACK, Mr. MCINTYRE, Mr. MCNULTY, Mr. WAXMAN, Mr. PALLONE, Mr. GRIJALVA, Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Mr. JEFFERSON, Mr. SCOTT of Georgia, Mr. PAYNE, Mr. ORTIZ, Mr. FITZPATRICK of Pennsylvania, Mr. BONNER, Mr. HAYWORTH, Mr. MCCOTTER, Mr. SHAW, Mr. WEXLER, Mr. RAMSTAD, and Mr. LINCOLN DIAZ-BALART of Florida):

H. Res. 961. A resolution encouraging the establishment of programs to increase public awareness of vision disorders in children; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H. Res. 962. A resolution recognizing the 200th anniversary of the sovereignty of the Principality of Liechtenstein, and expressing the support for efforts by the United States to continue to strengthen its relationship with that country; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

430. The SPEAKER presented a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 1300 memorializing the Congress of the United States to enact legislation relating to the assessment of penalties by a financial institution for an insufficient funds check; to the Committee on Financial Services.

431. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 18 urging support for and adoption of amendments proposed to the No Child Left Behind Act contained in H.R. 1177; to the Committee on Education and the Workforce.

432. Also, a memorial of the Senate of the State of Texas, relative to a letter supporting H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006; to the Committee on the Judiciary.

433. Also, a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 106 memorializing the Congress of the United States to posthumously bewtow the Congressional Medal of Honor upon Doris ''Dorie'' Miller and to request the U.S. Postal Service issue a commemorative postage stamp to honor Miller; jointly to the Committees on Armed Services and Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 328: Mr. RAHALL.

H.R. 550: Mr. FORTUÑO, and Mr. DAVIS of Alabama.

H.R. 566: Mr. SERRANO, Mr. SANDERS, and Mr. BROWN of Ohio.

H.R. 615: Mr. WAMP.

H.R. 668: Mr. SANDERS and Ms. DELAURO.

H.R. 699: Mr. STUPAK and Mr. KUCINICH.

H.R. 791: Mr. LOBIONDO.

H.R. 808: Ms. BEAN.

H.R. 817: Mr. TIAHRT, Mr. SHUSTER, Mr. LAHOOD, Mrs. CUBIN, Mr. COSTA, Mrs. MYRICK, Mr. WALDEN of Oregon, Mr. HOEKSTRA, Mr. OSBORNE, Mrs. BLACKBURN, Mr. BEAUPREZ, Mr. SERRANO, Mrs. JO ANN DAVIS of Virginia, Mr. SHERWOOD, Mr. GUTKNECHT, Mr. BOOZMAN, and Miss MCMORRIS.

H.R. 901: Mr. HYDE.

H.R. 952: Mr. RAHALL.

H.R. 1227: Mr. JACKSON of Illinois and Mr. SHAW.

H.R. 1298: Mrs. WILSON of New Mexico.

H.R. 1356: Mr. LOBIONDO.

H.R. 1384: Mr. LATHAM, Mr. PORTER, Mr. GENE GREEN of Texas, and Mr. KELLER.

H.R. 1405: Ms. JACKSON-LEE of Texas.

H.R. 1413: Mr. SMITH of Washington.

H.R. 1441: Mr. LYNCH and Mr. KIRK.

H.R. 1451: Mr. LOBIONDO.

H.R. 1471: Mr. JACKSON of Illinois, Mr. INSLEE, Mr. HIGGINS, and Mr. LARSEN of Washington.

H.R. 1578: Mr. CASE and Mr. BOUCHER.

H.R. 1615: Mr. MARKEY.

H.R. 1849: Mr. SHAYS.

H.R. 1872: Mr. SMITH of New Jersey.

H.R. 1940: Mrs. MILLER of Michigan and Mr. ENGEL.

H.R. 1946: Mr. MILLER of North Carolina.

H.R. 2103: Mr. BURTON of Indiana.

H.R. 2231: Mr. STUPAK, Mr. ROSS, and Mr. FRANKS of Arizona.

H.R. 2671: Mr. RUSH and Mr. SMITH of New Jersey.

H.R. 2841: Mr. GENE GREEN of Texas.

H.R. 2842: Mr. FOSSELLA, Mr. TIAHRT, Mr. BISHOP of Utah, Mr. RADANOVICH, Mr. SOUDER, Mr. PITTS, and Mr. SENSENBRENNER.

H.R. 2868: Mr. LARSEN of Washington.

H.R. 2869: Mr. KUCINICH.

H.R. 3011: Mr. TOM DAVIS of Virginia.

H.R. 3034: Mr. JACKSON of Illinois.

H.R. 3055: Mr. JACKSON of Illinois.

H.R. 3195: Mrs. EMERSON.

H.R. 3248: Mr. BOUCHER.

H.R. 3284: Mr. BOUCHER.

H.R. 3323: Ms. DELAURO.

H.R. 3478: Mr. HASTINGS of Florida, Mr. ROSS, Mr. MCCAUL of Texas, Mr. CHABOT, and Ms. WOOLSEY.

H.R. 3547: Mr. BOUCHER.

H.R. 3584: Mr. ROTHMAN.

H.R. 3616: Mr. RYAN of Ohio.

H.R. 3795: Mrs. MCCARTHY.

H.R. 3854: Mrs. CAPPS.

H.R. 3875: Mr. UPTON.

H.R. 4063: Mr. MILLER of North Carolina, Mr. UPTON, and Mrs. BIGGERT.

H.R. 4215: Ms. JACKSON-LEE of Texas.

H.R. 4293: Mr. FILNER.

H.R. 4315: Mr. JINDAL and Mr. ANDREWS.

H.R. 4341: Mr. MARSHALL and Mr. GREEN of Wisconsin.

H.R. 4537: Mr. AL GREEN of Texas.

H.R. 4547: Mr. ORTIZ, Mr. FOLEY, and Mr. WHITFIELD.

H.R. 4560: Ms. MOORE of Wisconsin.

H.R. 4562: Mr. REICHERT, Mr. GREEN of Wisconsin, Mr. BACHUS, Mr. BRADY of Texas, Mr. GUTKNECHT, Mr. EHLERS, Mr. PITTS, Mr. HERGER, Mr. FRELINGHUYSEN, Ms. VELÁZQUEZ, and Mr. RUPPERSBERGER.

H.R. 4597: Mrs. CHRISTENSEN, Mr. SAM JOHNSON of Texas, Mr. DANIEL E. LUNGREN of California, Mr. MCDERMOTT, Mr. NEUGEBAUER, Mr. TAYLOR of North Carolina, Mr. UDALL of New Mexico, Ms. WATSON, and Mr. SCHWARZ of Michigan.

H.R. 4618: Mr. FEENEY.

H.R. 4747: Mr. KUCINICH.

H.R. 4766: Mr. UDALL of New Mexico and Mr. UDALL of Colorado.

H.R. 4829: Mr. ENGLISH of Pennsylvania.

H.R. 4896: Mr. WAXMAN, Ms. ZOE LOFGREN of California, and Mr. LIPINSKI.

H.R. 4910: Mr. TERRY.

H.R. 4922: Ms. ROS-LEHTINEN and Mr. FOSSELLA.

H.R. 4927: Mr. LARSEN of Washington.

H.R. 4949: Mr. CROWLEY.

H.R. 4953: Mr. HIGGINS.

H.R. 4956: Mr. BUTTERFIELD, Ms. BORDALLO, Mr. LARSON of Connecticut, Mr. TANNER, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, and Mrs. TAUSCHER.

H.R. 4982: Mr. HOLT and Mr. SPRATT.

H.R. 5022: Mr. ROHRABACHER, Mr. PASTOR, and Mr. JACKSON of Illinois.

H.R. 5092: Mr. GOODLATTE, Mr. BEAUPREZ, Mr. FRANKS of Arizona, Mr. WHITFIELD, Mr. DINGELL, Mr. MCHENRY, Mr. TANCREDO, and Mr. ORTIZ.

H.R. 5134: Mrs. NAPOLITANO.

H.R. 5139: Mr. MILLER of North Carolina.

H.R. 5140: Mr. MILLER of North Carolina.

H.R. 5150: Mr. BERRY.

H.R. 5182: Mrs. MYRICK and Mr. WU.

H.R. 5249: Mr. BEAUPREZ and Mr. WELDON of Pennsylvania.

H.R. 5316: Mr. BOUCHER, Mr. HOLT, and Ms. WOOLSEY.

H.R. 5348: Mr. MCGOVERN and Mr. MCNULTY.

H.R. 5371: Mr. SPRATT.

H.R. 5436: Mr. DAVIS of Illinois and Mr. CARNAHAN.

H.R. 5496: Mr. SAXTON, Mr. LOBIONDO, and Mr. GARRETT of New Jersey.

H.R. 5519: Mr. BERRY.

H.R. 5539: Mr. MELANCON and Mr. MILLER of North Carolina.

H.R. 5552: Mrs. MYRICK and Mr. BEAUPREZ.

H.R. 5558: Mr. MACK, Mrs. BONO, Mr. MCCAUL of Texas, Mr. BACHUS, Miss MCMORRIS, and Mr. COLE of Oklahoma.

H.R. 5562: Mr. CROWLEY.

H.R. 5578: Mr. KILDEE.

H.R. 5588: Mr. JACKSON of Illinois.

H.R. 5605: Mr. PRICE of North Carolina.

H.R. 5608: Mr. PRICE of North Carolina.

H.R. 5613: Mr. FORTUÑO.

H.R. 5635: Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. ROSS, Mr. MCNULTY, Mr. STARK, Ms. CARSON, Mr. VISCLOSKY, and Mr. GENE GREEN of Texas.

H.R. 5642: Mr. CUMMINGS, Mr. BECERRA, Ms. WOOLSEY, Mr. ALLEN, Mr. OWENS, Mr. NADLER, and Mr. NEAL of Massachusetts.

H.R. 5669: Mr. JACKSON of Illinois and Ms. BALDWIN.

H.R. 5680: Mr. ROYCE.

H.R. 5688: Mrs. CUBIN, Mr. PITTS, and Mr. POE.

H.R. 5701: Mr. BURTON of Indiana.

H.R. 5702: Mr. FORTUÑO.

H.R. 5704: Mr. SHAYS, Mr. GOHMERT, Mr. PRICE of North Carolina, and Mr. JINDAL.

H.R. 5731: Ms. WOOLSEY and Mr. BRADY of Pennsylvania.

H.R. 5735: Mr. STARK.

H.R. 5751: Mr. CARTER, Mr. MCCAUL of Texas, Mr. KUHL of New York, Mr. KENNEDY of Minnesota, and Mr. MCCOTTER.

H.R. 5755: Mr. CALVERT, Mr. LYNCH, Mr. SAXTON, Mr. HUNTER, Mr. SKELTON, Miss MCMORRIS, and Mr. WILSON of South Carolina.

H.R. 5771: Ms. WATSON, Mr. KENNEDY of Rhode Island, Mr. SERRANO, Ms. SOLIS, and Mr. SMITH of Washington.

H.R. 5791: Mr. AKIN, Mr. PLATTS, Mr. SHAYS, Mr. MCCOTTER, Mr. RYAN of Ohio, Mr. MCNULTY, Mr. BERRY, and Mr. RUSH.

H.R. 5795: Ms. ROYBAL-ALLARD, Ms. SCHWARTZ of Pennsylvania, Mrs. MCCARTHY, Mr. MCDERMOTT, Ms. BERKLEY, Ms. JACKSON-LEE of Texas, Mr. DEFAZIO, Ms. WOOLSEY, Ms. DEGETTE, and Mr. JACKSON of Illinois.

H.R. 5805: Mr. CALVERT, Ms. JACKSON-LEE of Texas, Mr. SCHWARZ of Michigan, and Mr. KUHL of New York.

H.R. 5807: Mr. ACKERMAN.

H.R. 5825: Mr. SCHWARZ of Michigan, Mr. MILLER of Florida, and Mrs. MYRICK.

H.R. 5835: Mr. SMITH of Washington, Mr. CALVERT, Mr. SCHWARZ of Michigan, and Mr. KUHL of New York.

H.R. 5837: Mr. HINCHEY.

H.R. 5853: Mr. PETRI.

H.R. 5858: Mr. PAYNE, Ms. JACKSON-LEE of Texas, Mr. SERRANO, Mrs. NAPOLITANO, Mr. MCDERMOTT, and Mr. CASE.

H.R. 5862: Mr. MCHENRY, Mr. GOODE, Mr. PRICE of Georgia, Mr. PENCE, Mr. PITTS, Mr. SAM JOHNSON of Texas, Mrs. MYRICK, Mr. GUTKNECHT, Mr. GINGREY, Mr. TIAHRT, Mr. CARTER, Mr. KUHL of New York, and Mr. SODREL.

H.R. 5866: Mr. BURTON of Indiana and Mr. KUHL of New York.

H.R. 5875: Mr. OLVER.

H.R. 5878: Mr. MILLER of North Carolina.

H.R. 5886: Mr. JACKSON of Illinois, Mr. PAYNE, and Ms. KAPTUR.

H.R. 5890: Mr. GREEN of Wisconsin.

H.J. Res. 89: Mr. OLVER and Mr. TIERNEY.

H. Con. Res. 179: Mrs. BONO.

H. Con. Res. 222: Mr. BEAUPREZ.

H. Con. Res. 340: Mr. GARRETT of New Jersey and Mr. ALLEN.

H. Con. Res. 390: Mr. CALVERT.

H. Con. Res. 404: Mr. GORDON, Mr. MILLER of North Carolina, Mr. MCDERMOTT, Mr. BOEHLERT, Mr. EDWARDS, Ms. BERKLEY, Ms. JACKSON-LEE of Texas, Mr. EMANUEL, Mr. MOORE of Kansas, Mr. MCNULTY, Mr. INSLEE, Mr. DINGELL, and Mr. AL GREEN of Texas.

H. Con. Res. 416: Mr. SCHWARZ of Michigan, Ms. CORRINE BROWN of Florida, and Mr. JONES of North Carolina.

H. Con. Res. 447: Mr. STARK.

H. Con. Res. 450: Ms. MCKINNEY.

H. Res. 415: Mrs. TAUSCHER, Mr. HINCHEY, Mr. ISRAEL, Mr. HIGGINS, Ms. SOLIS, Mr. TIERNEY, Ms. LINDA T. SÁNCHEZ of California, Mr. HONDA, Mr. PETERSON of Minnesota, and Ms. WOOLSEY.

H. Res. 622: Ms. WATSON, Mr. WILSON of South Carolina, Mr. CASE, Mr. CALVERT, and Mr. HYDE.

H. Res. 760: Mrs. DAVIS of California.

H. Res. 776: Mr. BEAUPREZ and Mr. CASE.

H. Res. 931: Mr. SCOTT of Georgia, Mr. CARDIN, Mr. CLEAVER, Ms. CARSON, Ms. JACKSON-LEE of Texas, and Mr. MOORE of Kansas.

H. Res. 938: Ms. WATSON, Mr. DOYLE, Mr. LEVIN, Mr. MCINTYRE, Mr. RAMSTAD, Mr. WELDON of Pennsylvania, Mr. TERRY, Mr. FARR, and Mr. HIGGINS.

H. Res. 942: Mr. MCCOTTER.

H. Res. 950: Ms. KAPTUR.

H. Res. 953: Mrs. CAPPS, Mr. HINCHEY, Mr. KENNEDY of Rhode Island, Mr. FOSSELLA, Mr. KUCINICH, Mrs. NAPOLITANO, and Mr. SCHWARZ of Michigan.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

150. The SPEAKER presented a petition of Mr. Gregory T. Howard, a Citizen of Toledo, Ohio, relative to a letter discussing a legal matter; to the Committee on the Judiciary.

151. Also, a petition of the California Veterans Board, relative to a resolution opposing the unfair provisions of H.R. 4297 and relating to Qualified Veterans Mortgage Bonds issued by the California Department of Veterans Affairs; to the Committee on Ways and Means.

152. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 350 calling upon the President of the United States, the Congress of the United States and the Department of Homeland Security to immediately restore Homeland Security and Anti-Terrorism funds to the New York Metropolitan Area and to reconsider Rockland County's exclusion from the Urban Areas Security Initiative for the New York Metropolitan Area; to the Committee on Homeland Security.

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, THURSDAY, JULY 27, 2006 No. 101

Senate

(Legislative day of Wednesday, July 26, 2006)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable JOHN CORNYN, a Senator from the State of Texas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Eternal Father, strong to save, we commit to You the Members of this legislative body. Make them faithful in their work and dependent upon Your providence. Guide them in their decisions. Strengthen them for each task. In their moments of perplexity, remind them of their responsibility to bring deliverance to captives and relief to the oppressed.

May they faithfully discharge their duties to You and to country. Let Your blessings rest upon their labors and give them Your peace.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN CORNYN 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, July 27, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN CORNYN, a Senator from the State of Texas, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. CORNYN thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

GULF OF MEXICO ENERGY SECURITY ACT OF 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to proceed to S. 3711 is agreed to and the Senate will proceed to consideration of the measure, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 3711) to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

The ACTING PRESIDENT pro tempore. In my capacity as Senator from Texas, I note the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. GREGG. On behalf of the leader, I will read the following statement:

This morning the Senate begins consideration of S. 3711, the Gulf of Mexico Energy Security bill. I now ask unanimous consent that when the bill is reported, it be subject to debate only until 10:45 this morning, with the time equally divided between the two leaders or their designees, and that at 10:45 the majority leader be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GREGG. Yesterday we had a full day of debate in relation to the Energy Security bill. We anticipate a number of Senators coming to the floor today in order to speak on the substance of the measure. The majority leader has indicated that the Senate could turn to other legislative items today if we are able to reach time agreements on those bills.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask to be recognized on the minority time relative to the debate on S. 2711.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, pending before the Senate is a bill that will allow us to drill in areas of the Gulf of Mexico that currently are not being explored for oil and gas. There is some controversy attached to this proposal—whether this is an environmentally sound decision to go into these areas. The fact is in many parts of the Gulf of Mexico there is currently exploration and drilling for oil and gas, so it is not the same as the debate on the Arctic National Wildlife Refuge in Alaska, where the administration was proposing that we drill in areas that have been protected for over half a century.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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This area of the world and off the coast of the United States has been explored for quite some period of time, and oil and gas have been brought out of it.

It is going to be an interesting debate and a legitimate debate over whether this is the appropriate amount of exploration and whether it is environmentally responsible to do it in this fashion. But we should never believe that this debate is about creating America's energy policy. Sadly, America today—with gasoline prices going through the roof, with no certainty about our future when it comes to energy—does not have a national energy policy.

This administration, for 6 years now, has had an opportunity to come forward with a proposal that would move America away from dependence on foreign oil, but the administration has not done so. The only proposals we have received from them relate to very isolated, narrow issues. One of them I referred to earlier, whether the United States should now start drilling for oil and gas in the Arctic National Wildlife Refuge.

The House and the Senate have rejected that idea on a bipartisan basis. Their belief, which I share, is that we have reached a rather desperate moment in American history if the only way we can look forward in terms of energy self-sufficiency is to start drilling in some of the most environmentally sensitive places in America. That is why I have opposed drilling in ANWR in Alaska. That is why it has been defeated. The majority has felt this is not the way we should go.

This is a different issue. This is about drilling in the Gulf of Mexico.

We will debate it this week and vote on it next week. But we should not believe that passage of this bill is the creation of a national energy policy. The fact is if we pass this bill next week, it will have literally no impact on gasoline prices today and no impact on our dependence on foreign oil. If we are going to address that, we have to do it in a larger context. On the Democratic side of the Senate, we have proposed a bill that will move us forward, looking at the national energy picture and moving us toward breaking our dependence on foreign sources of energy in the future. That is important for us to do.

Today we are so dependent on foreign sources of oil that we are at the mercy of the OPEC cartel, and at the mercy of the major producers we are doing business with in countries around the world buying their oil and gas—and these countries are virtually our sworn enemies. There are many countries in the world that we send billions of dollars to as we buy their oil and gas that turn around and use the money we send against us in the war on terrorism. That is as horrifying as I can think of at the moment, that we would send American dollars to these countries to subsidize terrorist activities. Yet it is happening because we are so dependent on these foreign sources.

What can we do? What should we do? First, we should look at the obvious. Sixty percent of all the oil we bring into the United States of America is used for our cars and trucks. All of us are burning that oil as we drive around America. Sadly, the vehicles we drive in are less fuel efficient and get less fuel economy every single year. The vehicles are heavier, less fuel efficient, and we burn more gallons of gasoline each year to travel the same number of miles we went last year. I am speaking on average. There are some people who have fuel-efficient vehicles, but by and large, when you look at cars and trucks in America, that is the story. It doesn't have to be this way.

In 1975, we faced long lines at gasoline stations with the prospect that OPEC was going to cut off oil to the United States, and our Government made a decision that the first thing we needed to do was to have more fuel-efficient cars and trucks. At that moment in time, the average fuel efficiency of the fleets across America was about 14 miles a gallon. The Government mandated that over the next 10 years manufacturers had to have an average fleet fuel economy of cars that would virtually double to almost 28 miles a gallon in 10 years. The manufacturers of cars and trucks—particularly those in the United States—said it was an impossible goal which we could never reach, and that if we did, it would compromise the safety of the cars we would drive and would invite importation of automobiles into the United States. We did it anyway. We imposed the standard to increase fuel efficiency in America. Between 1975 and 1985 the average fuel economy of cars in America went from 14 miles a gallon to 27.5 miles a gallon. We achieved our goal. We did it without all of the terrible outcomes the opponents had suggested.

What has happened in the 21 years since then? What has happened since 1985 when we reached an average of about 28 miles a gallon for cars in America? Sadly, the fuel efficiency of cars in America has gone down progressively. Now it is around 22 miles a gallon, or 21 miles a gallon, meaning we are driving less fuel-efficient cars today than we were 21 years ago. And, of course, there was the truck loophole. We said when it came to fuel economy we would make an exemption for trucks. Someone invented the concept of a sports utility vehicle, SUV, and we called it a truck. It escaped the requirements of fuel efficiency. We all know those SUVs we are glutting the used car lots in America with, have some of the worst fuel efficiency of any vehicles we drive. They have helped to drive down our efficiency in America and driven up our dependence on imported oil.

A national energy policy has to include more fuel efficiency and fuel economy of cars and trucks we drive—and it can do it.

Recently, my wife and I made a decision about a car. We wanted to buy American and we wanted a hybrid. So we bought a Ford Escape hybrid. It is a good car, clean burning. We get about 28 miles a gallon, which is good but not great. I think we can do a lot better. Many of the cars that are coming in from overseas manufacturers get much better mileage. The people who make cars in America tell us there is no appetite for fuel-efficient cars in the United States. How wrong can they be? Toyota is about to come out with a Camry with a hybrid engine which will get better fuel mileage than most cars in the United States, and there is a 10-month waiting list to buy their cars. It tells me there is an appetite for obvious reasons. People understand gasoline is extremely expensive. If they can reduce their consumption of gasoline, they not only save money, but I think they know intuitively it is a good thing. It reduces the pollution and the greenhouse emissions.

Our failure to have a national energy policy leaves us in a position where we have foreign automobile manufacturers making fuel-efficient cars and hybrid cars and bringing them into the United States and selling them to American consumers who are anxious to buy their products.

The obvious question is, Why don't we have the leadership in Washington on a bipartisan basis that would create standards for fuel efficiency and fuel economy that would move the United States in the right direction on national energy policy? That is an important question. It is not addressed by this bill.

If we are talking about a national energy policy, this bill is not a national energy policy. There are other things which we should do as well. We have a situation in the United States where the oil companies are making outrageous profits. You can always tell when they have stepped over the line because when you open the morning paper, there will be a full-page ad where the major oil companies are explaining that they warrant that profit. Really?

ExxonMobil's second quarter profit jumped to the second highest level for any company in the history of the United States. ExxonMobil said today that it earned $10.36 billion in the second quarter, the second largest quarterly profit ever recorded by a publicly traded U.S. company. The earnings figures were 36 percent above the profit it reported 1 year ago. High oil prices, according to this Associated Press story, helped boost the company's revenue by 12 percent to a level just short of a quarterly record.

Think of this when you go to fill up at the gas pump. You reach into your pocket, pull out your wallet or your purse and pull out the credit card to pay for the gasoline, and the money that is coming right out of your checking account is going to record profits of the oil companies across America.

What has been done in Washington to try to contain these profits, to try to

say that the oil companies are going too far by creating burdens and handicaps on individuals and families and businesses across America? The answer is nothing. Nothing has happened informally. The President has not called in the leaders of these oil companies and said it is not healthy for America's economy for you to be taking so much money out of this economy, driving up inflation, making the cost of business go up so that they have to lay off employees and can't expand if they would like to, and making the burdens for families who have to drive on a regular basis unbearable. The President has not done this. Other Presidents in history have. This President refuses to.

When it comes to the more formal means of turning to those Federal agencies that have the power over these oil companies, they have been virtually silent as Americans and consumers are fuming over what is happening at their gas stations.

I would say to my colleagues in Congress when they go home over this August recess to take some time and talk to the people they represent. Gasoline prices, frankly, are one of the biggest issues that trouble the people across America.

ExxonMobil's report of earnings comes a day after ConocoPhillips said it earned more than $5 billion in the quarter at a time when many drivers in the United States are paying $3 a gallon for gas—and more. ExxonMobil, the world's largest oil company by market cap, said earnings amounted to $1.72 a share in the April-June quarter compared with the profit of $7.64 billion or $1.20 a share a year ago. These results top even Wall Street's expectations. The oil companies are raking in this money at the expense of consumers and businesses across America.

If we want a healthy business climate in this country, we cannot allow one industry—the oil industry—to make outrageous profits at the expense of other businesses as well as the families and individuals across America.

I think what we have before us is a bill that is worthy of debate about drilling in the Gulf of Mexico. It is something we will debate, but we shouldn't believe at the end of the day, even if it is passes, that we have addressed the most serious challenge facing America. We still need a national energy policy.

We should remember two numbers as we engage in this debate. The numbers are 3 and 25. If you look at all of the energy available in the world, the United States has access in the continental United States and offshore to 3 percent of the energy reserves of the world. Yet every year the United States economy consumes 25 percent of the energy that is produced in the world.

We cannot drill our way out of this situation. We have to have environmentally responsible exploration and production, but we also have to deal with conservation and efficiency. It is not just a matter of reducing costs and reducing consumption. There is not another issue that is as important as energy. It is the issue of the environment. We have to understand that as we burn energy, as we destroy this energy for our economic purposes—carbon fuels, for example—we are releasing emissions into the environment. Carbon dioxide, for example, which ultimately form a cloud over our globe, this greenhouse effect which captures the heat of the Sun and warming the planet we live on to the point where we are seeing dramatic climate change in America and around the world. We are finding from those in the private sector who look at this in cold economic terms that decisions are made which suggest we are facing serious problems if we don't do something about it.

When the major insurance companies announce they are not going to write property insurance for many businesses on the gulf coast of the United States because of the severity of the hurricanes we have seen in the last few years, it is a wake-up call to America. When we know that the glaciers are melting, when we know the temperature is going up on this globe we live on, when we know species such as the polar bear are doomed to extinction if we don't make some serious changes, we have to combine this debate on a national energy policy with the national environmental policy that sets a standard—that says to the world engage us in this effort to protect the planet on which we live.

S. 3711 is an interesting and important bill. I am glad we are debating it. But make no mistake; it is not a national energy policy.

I reserve the remainder of my time and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent that immediately following my speech and the speech of the Senator from Georgia, Senator CHAMBLISS, that Senator CORNYN be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. ISAKSON and Mr. CHAMBLISS pertaining to the submission of S. Res. 541 are printed in today's RECORD under ''Submitted Resolutions.'')

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Texas.

Mr. CORNYN. Madam President, the Senate is now taking up a very important piece of legislation that would open a huge area in the Gulf of Mexico for deepwater exploration for oil and natural gas. I am proud to be a cosponsor of this important legislation and believe it is long overdue.

At the same time, I am amazed when I hear our friends on the other side of the aisle. The Democratic whip this morning said this was an interesting proposal and he hoped we would have a good debate. I agree with both of those things. What he said I disagree with is that this is not about a national energy policy. He criticized the Federal Government not having a national energy policy.

This is about a national energy policy. This is about eliminating the moratoria we have created ourselves that have prevented the United States from relying more on domestic production of oil and gas and relying less on imported energy from places in trouble, regions of the world such as the Middle East.

As the current occupant of the chair knows, she and the senior Senator from Alaska have been fighting for years to open the Arctic National Wildlife Refuge for exploration and development. This is something that not only do Alaskans support but that would provide a tremendous boom to the United States in terms of our ability to develop domestic energy resources.

However, time and time again, for countless years, our friends on the other side of the aisle have said no, we cannot do that because it will damage the environment, it will disturb the flora and the fauna in that region of the world.

The fact is, it is possible for us to explore and develop domestic energy supplies in an environmentally sound way. Modern drilling techniques and production techniques are entirely compatible with preserving the environment and avoiding the kind of calamities that some want to scare the American people into believing would be routine.

I suggest this bill is all about developing a national energy policy. It is important to reducing our dependence on imported energy. In fact, it is estimated when lease 181 is developed, it will produce 1.26 billion barrels of oil, oil that is now selling for $75 a barrel on the open market.

We all know Congress can pass a lot of laws. We can repeal a lot of laws. But the one law we cannot repeal is the law of supply and demand. In a booming economy in the United States, and countries such as China growing at a rate of 10 percent, we know the demand for oil and gas has increased. The problem is, the supply has not. This would pinpoint the solution at the only way we know we can deal with this in terms of supply, and that is increase it by 1.26 billion barrels of oil and—this is significant, too—5.8 trillion cubic feet of natural gas.

Natural gas is not only important because it is relatively clean burning, but it also is feedstock in a number of critical manufacturing industries in the United States. It is critical for our farmers and ranchers, but the price of natural gas has gone through the roof—again, because of huge demand and limited supply.

So it is absolutely critical to our ability to reduce our dependence on imported energy to both improve our national security and improve the prospects for our economy that we pass this legislation.

My colleague from Illinois, the distinguished Democratic whip, also said the answer is not to open places such as ANWR, it is to pass mandates from Washington on more fuel-efficient vehicles. I am all for people having the choice to buy vehicles that give them extended gas mileage, but I am against Washington, DC, mandating through some directive that says to my constituents in Texas, you can only drive a certain kind of car. I believe we ought to have the freedom of choice and that Congress should not be in the business of mandating what kind of cars we drive in my State or any State.

Finally, he mentioned that big bugaboo we hear and read so much about, global warming, another scare tactic that is used often to convince people that, no, we can't develop our domestic energy supply, we can't contribute more to the production of CO_2 in the atmosphere because it will exacerbate global warming. We are all worried about global warming. The fact is, there is some debate in science about what the causes of the current warming of the atmosphere are, whether they are periodic and we are seeing a spike now, a small spike now, but it will work out.

The main problem with the solutions that have been offered to address global warming is that most of the proponents penalize the United States and damage the American economy by subjecting us to onerous regulations that would not apply to some of our major competitors in the world, countries such as China and India that would not be subject, for example, to the Kyoto Treaty that was overwhelmingly rejected by the Senate the last time we considered that issue.

Rather than saying no, rather than blocking and blaming, what S. 3711 does is enormously positive. It has done a great job. I have to give a lot of credit to the Senator from Louisiana who has helped shepherd this bill to this point so far. This is a bipartisan bill which is the way we should do things more often, but this provides a very real solution to a very real problem. It is true we cannot rely on developing more oil and gas supply, but that is certainly what we have to do in the near term to midterm. We cannot rely solely on conservation.

I am all for conserving our energy supply, avoiding waste that can be avoided. I also think we ought to look for alternative fuels such as ethanol. They make a lot of sense as part of an overall energy diversity program. I think energy diversity should be our national policy because if we rely on one type of fuel or if we rely on one policy, such as conservation, we cannot hope to get ahead of the curve when it comes to the growing demand not just in the United States of America but countries such as China that are growing at the rate of 10 percent a year, and other competitors in the world economy.

So we have to look at conservation. We have to look at additional supply. We have to look at alternative forms of fuels, renewables. Texas just moved ahead of California in terms of production of wind energy. That certainly has a lot of promise. It is not the only solution, but it is a part of the overall solution. Then, of course, we have to look at developing nuclear energy in this country. France, hardly a model that I would hold up in some areas, is a model when it comes to dealing with nuclear energy. America produces about 20 percent of our electricity from nuclear power. France, on the other hand, produces 80 percent of their electricity using nuclear power. They have figured out that one way to address the environmental concerns but also produce the kind of energy that a growing economy needs is nuclear power.

Thank goodness in the Energy bill we passed last year, we have now the prospect of nuclear energy taking over more and more of the demand for our energy supply in the United States.

So I believe this is an enormously important piece of legislation. It does provide a part of the solution to our overall challenge. It will have a very direct impact on the prices that consumers pay at the gas pump because most of the cost of gasoline is related to the price of oil. We know that is not the only cause of high gas prices. Another problem is we have seen some block the development of refinery capacity, and we have had no new refineries which are what transmute the oil into gasoline. We have not had any new refineries built in this country since the early 1970s, although we have seen a recent expansion of existing refining capacity which has helped.

But, here again, America is no longer the principal consumer of energy in the world. We are just one of a number of large competitors for the same scarce supply. So it is absolutely critical we undertake measures such as this as part of our national energy policy. So I would disagree respectfully with my colleague from Illinois, the distinguished Democratic whip. This is all about a national energy policy, and it is a part of what we must do if we are going to keep our commitments to the American people to try to help them keep more of the money they earn and let them spend it as they see fit and not have to spend it on rapidly escalating gasoline prices and other energy prices that not only hurt consumers but also make America less competitive in the global economy.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, we are on a subject that is near and dear to the heart of the Senator from Florida—both Senators from Florida. It is a subject of which, a year ago, in bringing up an energy bill, there was an attempt to drill off the coast of Florida, and this Senator had to start his first filibuster. We were able to resolve that with the help of the distinguished senior Senator from New Mexico, Mr. DOMENICI, who, true to his word, let the Energy bill go on without bringing up the portions with regard to drilling off of Florida when it went to conference with the House of Representatives. And I have thanked Senator DOMENICI many times on this floor for being a man of his word.

I must say, in the negotiations that have brought this legislation to the floor now, I give great credit to the senior Senator from Louisiana, Ms. LANDRIEU, in looking out for the interests of her State in receiving revenue—what would come from new drilling that this legislation addresses not only for Texas, Alabama, Mississippi, but especially for Louisiana. It addresses those revenue needs that the State needs since it is losing all of those wetlands. We saw the results of that in the great tragedy of Hurricane Katrina a year ago. So I give great credit to Senator LANDRIEU.

But I also give great credit to Senator LANDRIEU because she knew the interests of Florida had to be protected in order for her to get an agreement because both Senators from Florida were willing to filibuster any legislation that threatened the interests of Florida. To her great credit—Senator LANDRIEU's—she worked with the two Senators from Florida. She also worked with the other gulf coast Senators. And what has been crafted is a piece of legislation that addresses just the Gulf of Mexico.

Now, you might wonder: Why does Florida not want its waters off the coast of Florida to be drilled? Well, this Senator is going to explain that. Certainly, there are economic interests with a $57 billion a year tourism industry that depends on pristine beaches. Certainly, there is the delicate environment—the 10,000 Islands, the Big Bend area, the bays and estuaries, Apalachicola Bay—all of these environmental areas that are so delicate to the ecology of the oceans where so much marine life is spawned.

But there is another big reason that most people do not understand, and it is right here as shown on this chart. Most people do not realize that the entire Gulf of Mexico off of Florida is restricted airspace. Why? Because this is the largest testing and training area in the world for the U.S. military. All of this area has restricted air use and naval use.

You wonder: When the U.S. Atlantic fleet training in Vieques—the little island off the eastern end of Puerto Rico—when it was shut down, why did most of that training come to Florida? It is because you can do combined air-sea exercises and land exercises from Eglin Air Force Base, Pensacola NAS—Naval Air Station Pensacola. Squadrons of Navy F–18s come down and spend 2 weeks, 3 weeks at a time, and are stationed there because when they lift off out of Key West NAS, within 2 minutes they are over restricted airspace where they can go about their training.

So here is a large part of the reason—as shown right here on the chart—why there is no drilling off the west coast of Florida in the Gulf of Mexico. The importance of what is called the Eglin Air Force Base Gulf Test and Training Range has been emphasized in the letter that was received by the Senate Armed Services Committee, signed by the Secretary of Defense, Don Rumsfeld. That letter was delivered to the committee last November, in which he says: You cannot have oil and gas rigs out here where we are testing and training sophisticated weapons systems, and where we are training our pilots—Air Force and Navy pilots—and where we now will have the F–35 all-pilot training for the new Joint Strike Fighter, the F–35 for all branches of service, all out here because of that restricted space. So Secretary Rumsfeld made it very clear: You cannot have oil and gas rigs.

I remember the Senator from New York, Mr. SCHUMER, one day said: Why should Florida be protected? Here, this is the reason. This is the historical reason, in addition to the reasons of the environment, as well as the economy of Florida in protecting our tourism industry.

So this is what we are dealing with, as shown on this chart. All of the yellow on this chart off the State of Florida is going to be protected until the year 2022. That is three planning periods of 5 years each. That is 15 years after the planning period of 2007 kicks in. All of that area—which is 125 miles from Fort Walton, it is 100 miles from Perdido Key, 100 miles off of the Alabama coast right here. Then it comes around, and it then follows this critical line, this black line that is called the military mission line, a military mission line that was established in 1981 by the Department of Defense in that they said they wanted no drilling east of that line. Therefore, that line becomes the critical line, of which you see that most of the area of Florida, then, is protected from drilling. And that is all the way through the year 2022.

That area, by the way—from this point off of Clearwater, which is in the Tampa Bay area—is 235 miles due west of the Tampa Bay area beaches. For Naples, it is in excess of 300 miles. No drilling. So you can see the protection for Florida also happens to be the protection for the U.S. military in these ranges.

Now, we have had people come to the floor and say they are concerned about this going down to the House. The House-passed bill basically lifts the moratorium for drilling off the Outer Continental Shelf of the entire United States—the Pacific coast, the Atlantic coast, and so forth.

I want to speak about the assurances I have been given when this bill will leave here and go to the House of Representatives. But let me tell you why this bill only deals with the Gulf of Mexico. From Florida's standpoint, from the military's standpoint, from the Nation's defense standpoint, we do not want to lift the moratorium and have drilling off the east coast of Florida and the rest of the southeastern United States because, look right here on this chart. Here is another major Air Force and Navy training area off the northeast coast of Florida and off the east coast of Georgia. In addition, right there is a place called Cape Canaveral. The Cape Canaveral Air Force Station is where we launch our rockets to put all of our satellites, our defense satellites, into equatorial orbit.

You can't have oil rigs out here where you are dropping the first stages of the expendable booster rockets that are putting our highly sophisticated and highly classified defense payloads into equatorial orbit. Just to the north of Cape Canaveral is a place called the Kennedy Space Center. It happens to have launch pad 39A and launch pad 39B from which we launch the space shuttle and, after the year 2012, it is estimated we will launch the new space vehicle called the Crew Exploration Vehicle. You can't have oil rigs out here where we are dropping the solid rocket boosters from the space shuttle when we launch, those two big candlesticks on either side of the external tank of the space shuttle. After they have expended their fuel 2 minutes into flight, they separate from the space shuttle and parachute back into the Atlantic Ocean. They are then brought back in, refurbished, and reused. You can't have oil rigs out here.

So as people talk about wanting drilling off the east coast of Florida, which this legislation in front of us does not address but the House bill does address, you can't do that out here with an interest of the Nation at stake—the military preparedness plus the defense of this country, with the important payloads that we are launching out of the Cape Canaveral Air Force Station, as well as the Kennedy Space Center. When people say that this legislation we are passing in the Senate does not address protections of the east coast, the east coast isn't a threat. Right now the east coast is under a moratorium until the year 2012. That is not where the threat is. The threat is here in the Gulf of Mexico. That is why we have the legislation before us that we do. That is why this Senator is coming to the floor to announce my support for this legislation, which I have helped craft and on which I have waited until today, until I had assurances that this legislation was not going to be in any significant way changed when it leaves this Chamber and goes down to the House.

What are those assurances? I have been authorized to say from the majority leader, Senator FRIST—and I am reading from an e-mail to me. This is a quote Senator FRIST sent to me today—

> The Senate bill is a carefully crafted compromise and I believe it represents what is achievable in the Senate this year. I will not bring a bill back before the Senate that does not provide adequate protections to the State of Florida. I look forward to working with both Florida Senators to achieve this goal.

Yesterday, I spoke personally to Senator FRIST on the telephone. He told me he would do everything within his ability to keep it to the Senate version when the bill returns to the Senate. That is a pretty good assurance for this Senator to protect the interests of Florida.

I went to our leader on this side of the aisle, the Democratic leader, and Senator REID has written a letter to me:

> Dear Senator Nelson:
>
> It is my expectation that the House of Representatives will accept S. 3711 as passed by the Senate without amending it and without modifying it in a conference committee. If the House does not accept the Senate bill as passed, I will join other Senators and Senator Nelson and produce the votes to sustain a filibuster to prevent the passage of the bill when it would return to the Senate.

That is the end of the quote from Senator REID's letter.

Around here, you have to take a man at his word. I accept the word and the assurances of the two great leaders of our two great parties in protecting the interests of Florida. I am prepared to come and support this legislation and to thank the leadership on both sides as they have worked with the two Senators from Florida to try to do what is right for the country.

In the legislation that addresses the drilling, there is another important component for Florida; that is, there are a few leases out in this area from years past, decades past, that have never been drilled because they have never gotten the permits because of all that we have been going through, keeping these waters protected in a moratorium. Senator LANDRIEU has crafted a portion of the bill that revenue will go to four Gulf States from the revenue generated to the Federal Government from new leases. The interest of Florida, since there won't be drilling, is to get rid of the ancient leases that are never going to be drilled. So there is a provision in the legislation that will allow the swapping of these leases by their value for new leases in the area that can be drilled in what is called lease sale 181, and other leases in the central and western Gulf of Mexico, new leases that we want to be drilled where a swap would occur.

The PRESIDING OFFICER. The minority's time has expired.

Mr. NELSON of Florida. People say that is voluntary for the oil companies.

The PRESIDING OFFICER. The time of the minority has expired.

Mr. NELSON of Florida. I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. You would ask, if it is voluntary, why would they do it? Because there is a financial incentive for oil companies who want to pay for new drilling in 181 or elsewhere

in the central or western gulf, not to pay that by swapping out their financial interest in these ancient leases that are still here. They are of minor value compared to the entire value of the leases elsewhere in the Gulf of Mexico, but nevertheless that is there.

Why it is important that we keep the Senate bill intact and not expand it with any version of the House is because the House-passed legislation works for the Gulf of Mexico, but the House-passed version lifts the moratorium for the entire country and allows, with State legislative approval, drilling to come up to 3 miles off the coast of a State. Of course, Atlantic seaboard Senators, Pacific Ocean Senators, would be violently opposed to that, and then the Senators who start realizing that it starts getting into their military- restricted areas, their defense-restricted areas, would find that enormously objectionable. That is another reason we need to keep this legislation intact as it goes to the House and then comes back to the Senate.

My colleague from Florida, Senator MARTINEZ, has made several statements on the floor—and it is my understanding that he will again—that he is given assurances that the protection of Florida will be there when this legislation comes back from the House. It is the privilege of this Senator from Florida to support this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I am glad to hear the remarks of the Senator from Florida, and I am glad that he feels able to support this legislation. It is something I have worked on for quite a number of years and supported as a Senator from Alabama. We have a lot of oil and gas right off our coast. We believe this could be done safely and be great for the country economically. I am pleased that the distinguished Senator believes he can support this bill. We do have to work with the House of Representatives. They do have input in the legislation. But, hopefully, when all that is settled, we will have something we can pass. It is critical for our economy.

I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SESSIONS are located in today's RECORD under ''Morning Business.''

The PRESIDING OFFICER. The majority leader is recognized.

Mr. FRIST. Madam President, we are on the Gulf of Mexico energy security bill, a bill that has been very carefully crafted in a bipartisan way. It has been our approach from the outset. One of the real challenges we have is taking a bill which is delicate, in the sense that it has been carefully crafted, vetted, and addressed for the last year—and there are many other people who would like to add other energy amendments or bills to this single, focused step, this being built upon the comprehensive energy bill, a bipartisan bill that was passed a year ago this week. So it is a challenge to keep the body focused on this issue. In doing so, there are procedures here shortly that are important to accomplish delivering as many as a billion barrels of oil to the American people and over 5 trillion cubic feet of natural gas, enough gas to heat or cool 6 million homes for 15 years. We have it within our grasp.

We had a good vote yesterday morning in terms of getting on the legislation, which we are on, and now, from a leadership standpoint, we have to stay focused on this bill, even though there are a lot of other good ideas out there, and complete this step and our action in the Senate. Thus, I will go through a series of steps here, and we will have comments on that.

AMENDMENT NO. 4713

Mr. FRIST. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 4713.

Mr. FRIST. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end insert the following:

The effective date shall be 2 days after the date of enactment.

Mr. FRIST. Madam President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4714 TO AMENDMENT NO. 4713

Mr. FRIST. Madam President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 4714 to amendment No. 4713.

Mr. FRIST. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On line 1, strike ''2 days'' and insert ''1 day''.

CLOTURE MOTION

Mr. FRIST. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the cloture motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 529, S. 3711: A bill to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

Bill Frist, Pete Domenici, Richard G. Lugar, Mitch McConnell, Kay Bailey Hutchison, Jim Bunning, Trent Lott, Christopher S. Bond, Tom Coburn, Wayne Allard, David Vitter, Mel Martinez, Thad Cochran, Jim DeMint, John Cornyn, Lindsey Graham, Jeff Sessions.

Mr. FRIST. Madam President, I ask unanimous consent that the live quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Madam President, this cloture vote will occur on Monday. We have not set the specific timing, but I anticipate that vote would be at 5:30. We will set the exact time later today.

This will be a very important vote, and it is critical that Senators be here, and they should prepare to be here at 5:30. We will announce the specific time later today. I ask them to adjust their schedules accordingly. In all likelihood, we will be voting on Monday. I hope they have adjusted their schedules accordingly.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. REID. Madam President, I have expressed to the majority leader my disappointment in not allowing amendments on this bill. We had agreed to just have five, with time agreements on each of those. The leader decided not to do that. I think that is unfortunate. I hope that, moving beyond that, we can have a better idea of what we are going to do for the rest of the work period.

The majority leader indicated to me that he has a very important meeting shortly after lunch, and he will indicate to me at that time more of a direction as to what we can expect this afternoon, tomorrow, and the rest of the work period before the August recess.

I also want the record to reflect, as I said yesterday, that I appreciate the cooperation of Senator BINGAMAN. Without his agreement, this parliamentary situation we find ourselves in would not have occurred until late this evening. This will allow us this afternoon the possibility of doing other work. So I appreciate very much Senator BINGAMAN being his normal cooperative person. He has strong feelings about this legislation. He expressed them to me personally and on the Senate floor. But he is always someone who works for the good of the Senate. I appreciate that very much.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Madam President, while the majority leader is still here, I understand the procedure he has followed, and that is to do what we refer to here as ''filling the tree'' with amendments so that other amendments cannot be offered.

I ask unanimous consent that the pending amendment be set aside so that I may be able to offer an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Madam President, reserving the right to object, filling the tree is the procedure I have used in order to accomplish what is a very important next step in building on, as I said, the comprehensive Energy bill the managers worked for last year, which has been tremendously successful as we look at alternative energy, such as ethanol or, in the future, nuclear and biomass, looking at the supply side and the consumption side of the equation. What is challenging in floor management is being able to now build upon that bill from last year and take one step at a time.

As we are commenting on this now, there are so many good proposals, substantive proposals, that would help our dependence on foreign sources of oil. We are 60 percent dependent today on foreign sources of oil. We have to change that by lessening our energy dependence with homegrown energy. That is what we will be able to do on the floor today in this carefully crafted, focused, very discrete bill that looks at the Gulf of Mexico, which has revenue sharing that has been carefully worked out with Members in this body for the last 6 to 7 months in terms of the specifics. With that, we will be able to deliver this bill to the American people and address the squeeze we know they are feeling today when they are filling up the tractor or the car or preparing to go on vacation or air-conditioning their homes or heating their homes at other times of the year.

With that being the approach, I will object to setting aside the amendments because it would mean actually trying to decide among many good proposals that would come to the floor—and it is not that they are not good or they won't be addressed in the future. We are going to keep this bill focused, tight, and clean.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BINGAMAN. Hearing objection, I wish to take a few minutes and explain the amendment I was intending to offer so that Senators will understand what the alternatives are that we could be considering today.

Madam President, just to pick up on the point the majority leader was making, I certainly want to build on the good work we did in this body last year with the passage of the Energy Act of 2005. I believe very strongly that the way to do that is to have an open process, allow Members to offer amendments, allow those amendments to be voted on, and see what the will of the Senate is. Unfortunately, that is not the process which is being used in connection with S. 3711.

I stated extensively yesterday the substantive reasons I think S. 3711 is not good legislation, and I will repeat a few of those points.

Let me talk about the amendment I wanted to offer this morning. The amendment I was going to offer consists of the text of S. 2253, which is the legislation we reported out of the Senate Energy and Natural Resources Committee on a bipartisan basis in March. My amendment would take that language and it would modify it to add the so-called 181 south area for leasing.

Let me put up a chart so everybody knows what is involved here. The white area on this chart, the box there, is the area that we proposed in our Energy Committee bill that we reported to the floor to open for leasing. That thatched area to the right of that, to the east of that on the map, is an area which would be open with the consent of the Secretary of Defense or under appropriate circumstances and conditions which would be specified by the Secretary of Defense. That is what our bill called for.

As I say, I would propose in this amendment, if I were able to offer it, to add the yellow area below that which is now being referred to as 181 south.

The legislation we came out of committee with and I would desire to have us consider on the floor today would require that the lease sale be conducted within a year. It would provide that leasing in the 181 area south be done as soon as practicable after the date of enactment.

Overall, the amendment I would like to have been able to offer would make available 7.37 trillion cubic feet of natural gas and 1.58 billion barrels of oil. These are substantially more energy resources than the 5.83 trillion cubic feet of natural gas and the 1.26 billion barrels of oil made available under the pending legislation; that is, S. 3711.

At the same time, the legislation we came out of committee with and that I wish we were able to consider on the floor would provide there would be no leasing closer than 100 miles from the Florida coast at any point and leasing east of the military mission line under the bill, as I indicated, could only occur with the prior consent and agreement of the Secretary of Defense.

The 1-year timeframe for conducting the lease sale in this 181 area is intended to allow for full compliance with all environmental laws. The amendment does not impose any new leasing moratorium, such as the pending bill would. Also, it does not divert revenue from the Federal Treasury to four coastal States, as the pending bill proposes to do.

Earlier this year, I was pleased to work with Senator DOMENICI to develop and introduce S. 2253. That is the basis of the amendment I am offering. We had a hearing on the bill in committee. We reported the bill with a very strong bipartisan vote.

However, after the committee reported its legislation, several colleagues indicated they had problems with this bill, in particular my colleagues from Florida, who sought a new long-term moratorium off the Florida coast, which has been agreed to by those who are now advocating the pending legislation—this is a 16-year moratorium in a very large area—and my colleagues from other Gulf Coast States have insisted upon a provision that cedes to their States Federal revenues for oil and gas produced in the Federal Outer Continental Shelf off their coasts. Thus, S. 3711, which was written by Senators DOMENICI, LANDRIEU, and others, includes significant new provisions that I believe undermine the goals of our original bill.

I am disappointed we did not have a chance to vote on the bill which was reported out of the committee. I believe the Senate would have acted favorably on that bill had it been given an opportunity to do so.

S. 2253 is good energy policy; it is responsible fiscal policy. S. 2253 would have resulted in oil and gas being produced without locking up vast areas of the Outer Continental Shelf and without raiding the Federal Treasury at the same time.

As I stated in the Senate yesterday, because S. 3711, which is the pending bill, locks up these vast areas of the Outer Continental Shelf off the coast of Florida, and because the bill provides for the sharing of billions of dollars in Federal revenues, I must strongly oppose it.

The pending bill, S. 3711, expands areas under moratoria and sets precedence for imposing new long-term congressional moratoria.

This next chart is the one many Senators have been using to make many different arguments on the Senate floor, but the point is very clear when one looks at this chart. There is a vast area, the yellow area on the chart, that is being put off limits to oil and gas development for a very substantial period, 16 years, longer than virtually any of us are likely to be in the Senate.

The Department proposed, as I understand it, in return for gaining access to 2.76 trillion cubic feet of natural gas over what the Interior Department proposed—this bill currently pending in the Senate puts 21.83 trillion cubic feet of natural gas off limits until 2022. I think that is a mistake. I think it is a bad deal for America.

Two of these areas within the original 181 lease sale area that are more than 100 miles off the Florida coast would be offered for lease under my amendment. And most importantly, my amendment would not impose any new moratoria on Outer Continental Shelf leasing.

Likewise, the amendment I would offer would not include the ceding of Federal revenues to the four Gulf Coast States.

Let me make it very clear: I recognize there are needs to protect the wetlands along the gulf coast, and I recognize that the Federal Government should provide assistance to these

States to accomplish that wetland restoration and protection work. But I believe very strongly that should be money that comes out of the Federal Treasury. We should not be taking a stream of revenue that has historically always gone into the Federal Treasury—that is, royalty from production in the Outer Continental Shelf—we should not take that stream of revenue and divert a substantial portion of it directly to those States. We should, instead, bring those funds into the Federal Treasury, determine what the needs are for those States and for other communities in the country, and then appropriate the funds appropriately to meet those needs.

That is my strong view. That is what the amendment I would have offered would contemplate, that is what current law contemplates, and that is what the Supreme Court has always said was the appropriate course. Of course, I cited former President Truman and his strong position, which is consistent with the position I am advocating today.

In summary, the amendment I would like to have offered this morning, if the majority leader had not blocked our ability procedurally to offer amendments, would open this area called 181 south and also a larger portion of the 181 area originally than the pending legislation proposes to do. There would be an additional 1.5 trillion cubic feet of natural gas made available. There would be an additional 300 million barrels of oil made available for our Nation over and above what is being made available under S. 3711.

The amendment would accomplish this in a manner that protects Florida's coast without imposing new leasing moratoria. It would also do so in a manner that protects the fiscal interests of our Nation. I regret I am not able to offer the amendment today for consideration.

Moreover, the amendment would achieve greater oil and gas production without setting dangerous precedents. I think one of the most disturbing things about what the Senate is preparing to do, if it goes forward and adopts S. 3711, is that we are setting precedents, both for putting areas off limits to production for long periods of time—a 16-year statutory moratorium—for areas that have not been subject to statutory moratorium, in some cases at all. I think that is a big mistake. I think the precedent we are setting with regard to so-called revenuesharing or ceding of revenues, Federal production revenues and royalties to coastal States is also a very major mistake, and it sets a very bad precedent which will come back to haunt us.

I know very well that the other Senators who represent coastal States will in the future come to this Senate floor and insist, as the Senators from these four Gulf Coast States have insisted, that if production is going forward off their coasts, their States are entitled to Federal revenue as well.

This is bad policy. This is bad energy policy. It is bad fiscal policy. It is a course of action that I believe the Nation will regret in future years if we go forward with it.

I am disappointed that there is no place in this debate for us to offer amendments to correct the policy. I am also disappointed that there is no place in this debate for us to address other important energy-related issues. We should be proposing amendments to this legislation with regard to energy efficiency. We should be considering the legislation that Senators OBAMA and LUGAR have proposed with regard to vehicle fuel efficiency. We should be considering a variety of bills—S. 2747, the Enhanced Energy Security Act, which tries to put in place a variety of provisions that would add to the efficiency with which we use energy in this country. All of those are legitimate issues we should be able to address by amendment to the Energy bill on the Senate floor.

In fact, if we were building on the Energy Policy Act work this Congress did last year in the first session of this Congress, we would be, in fact, allowing those other very meritorious amendments to be considered as part of our debate as well.

I regret that. I regret the decision of the majority leader to deny us the right to offer amendments.

Madam President, I ask unanimous consent my amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(Purpose: To provide a complete substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. OFFSHORE OIL AND GAS LEASING IN 181 AREA AND 181 SOUTH AREA OF GULF OF MEXICO.

(a) DEFINITIONS.—In this section:

(1) 181 AREA.—The term ''181 Area'' means the area identified in map 15, page 58, of the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002 of the Minerals Management Service.

(2) 181 SOUTH AREA.—The term ''181 South Area'' means any area—

(A) located—

(i) south of the 181 Area;

(ii) west of the Military Mission Line; and

(iii) in the Central Gulf of Mexico Planning Area of the outer Continental Shelf, as designated in the document entitled ''Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012'', dated February 2006;

(B) excluded from the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002, dated August 1996, of the Minerals Management Service; and

(C) included in the areas considered for oil and gas leasing, as identified in map 8, page 37 of the document entitled ''Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012'', dated February 2006.

(3) MILITARY MISSION LINE.—The term ''Military Mission Line'' means the north-south line at 86°41′ W. longitude.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Minerals Management Service.

(b) 181 AREA LEASE SALE.—Except as otherwise provided in this section, the Secretary shall offer the 181 Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable, but not later than 1 year, after the date of enactment of this Act.

(c) 181 SOUTH AREA LEASE SALE.—The Secretary shall offer the 181 South Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable after the date of enactment of this Act.

(d) EXCLUDED AREAS.—In carrying out this section, the Secretary shall not offer for oil and gas leasing—

(1) any area east of the Military Mission Line, unless the Secretary of Defense agrees in writing before the area is offered for lease that the area can be developed in a manner that will not interfere with military activities; or

(2) any area that is within 100 miles of the coastline of the State of Florida.

(e) LEASING PROGRAM.—The 181 Area and 181 South Area shall be offered for lease under this section notwithstanding the omission of the 181 Area or the 181 South Area from any outer Continental Shelf leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344).

(f) CONFORMING AMENDMENT.—Section 105 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54; 119 Stat. 522) is amended by inserting ''(other than the 181 South Area (as defined in section 2 of the Gulf of Mexico Energy Security Act of 2006))'' after ''lands located outside Sale 181''.

Mr. BINGAMAN. I yield the floor.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise today in strong support of S. 3711, and I specifically rise in strong support of the majority leader's actions to ensure that we have a focused debate on the carefully crafted provisions of S. 3711 and not be thrown off track by numerous amendments about all sorts of ancillary energy and other issues because I rise in support of actually doing something, not merely talking about everything, as the Senate so often wants to do, and at the end of the day doing nothing. That is the choice we have.

The choice is what we so often do: Talk about everything under the Sun, have wide-ranging debates. This body is a great debating society, but at the end of the day does nothing. The other choice is focusing on the carefully crafted provisions of S. 3711, having a fair debate on those provisions and passing it into law, doing something concrete, real, meaningful, that will have an impact soon on people's wallets, on people's pocketbooks, on our energy future.

That is what this choice is all about, and I stand strongly for doing something and not just talking a good game. What is it we would be doing, Mr. President?

Well, S. 3711 would be doing more to secure our supply of domestic energy than anything we have done in a long time. It is not everything under the Sun, it is not a silver bullet, it is not a magic wand, but it is a major, concrete, specific step forward that would help secure our energy future. What is that? It is 8.3 million acres of area in

the gulf opened to exploration and production for the first time ever; 1.26 billion barrels of oil, brandnew production; and 5.83 trillion cubic feet of natural gas, brandnew production. That is doing something, and that is doing something that will have an impact on our energy future—not in 20 years, not in 10 years, but very soon.

We will see this production in a few years and we could see its impact on prices even sooner than that. As folks in the energy industry recognize that we are opening this brandnew area to both oil and gas exploration, we could see a positive impact, bringing prices down even sooner than the production would begin.

So I am in support of doing something strong, concrete, and meaningful—not just talking a good game and, at the end of the day, doing nothing.

The distinguished Senator from New Mexico made some points in opposition to this proposal. He said it was very regrettable that he and others were not completely open to propose any amendment with regard to this bill. Let's not kid ourselves. Let's understand what is going on here. The distinguished Senator is absolutely flat out against the central provisions of this bill. His effort is to gut this attempt at moving us forward in terms of energy independence. He would take out of this bill one of its most central and important components: royalty share.

It is easy for him to take this position. His State of New Mexico gets enormous Federal revenue from production onshore on Federal land. Everything that is produced on Federal land in his State—as in any other State—his State gets 50 percent of that royalty. So it is very easy for him to take the position that offshore should be a completely different situation; offshore should be zero. That doesn't affect his constant revenue stream for States such as his in New Mexico or for States such as Wyoming, where 50 percent of the revenue from onshore mineral production royalty is going directly to his State coffers.

In addition, if you look at the 50-percent Federal share, most of that goes to a Federal fund that goes back to the States in terms of land reclamation as well, so that all told, 90 percent of that royalty produced on Federal land in his State essentially goes back to the States. So he has a very convenient situation in his State which has been that way for years. It is very easy for him to protect that but, at the same time, block coastal States from having a similar situation.

But there is no good reason we should do that. We should equalize the playing field. We should make Federal policy equal and right. Look at last year, 2005. Federal offshore production yielded, in terms of Federal revenue, $6.32 billion. Of that enormous total—$6.32 billion—only $75 million went to the States in terms of a royalty share. Compare that to the situation of the Senator from New Mexico. Federal onshore revenue for that same year yielded $3.5 billion of royalties, and half of that went to the States—$1.75 billion went to the States of New Mexico and Wyoming and many other States.

So, of course, it is easy for the Senator from New Mexico to protect what he already has but try to deny it to coastal States. The fact is the impacts are the same, and the impacts are dramatic. He talked about them himself, the dramatic negative impacts with regard to coastal erosion and other impacts on the Louisiana coastline and all of the coastlines of the Gulf States. That is one of the primary reasons we have royalty share at the heart of this bill, which the Senator from New Mexico would strip out with his amendment.

But that is not the only reason we have that royalty-sharing provision in the bill. The predominant reason is the overarching national reason, the reason that will promote our energy independence in the future, and that is simple. If we allow coastal States to share in the royalty obtained from production off their shores, we can change the dynamics dramatically. That will change the not-in-my-backyard attitude of so many coastal States and usher in more domestic production in the future. That is the model we are building with S. 3711, the positive model that will do, over time, even more than what this bill alone does, opening up 8.3 million acres, 5.83 trillion cubic feet of natural gas, and 1.26 billion barrels of oil. That is what the bill itself does. That is significant. That is concrete and positive. But when we put this model in place of sharing royalties with the appropriate coastal States, then we open possibilities in the future even more. That is why this royalty-sharing provision is so central and so important to this bill. It is a new model to get us to greater energy independence, to get us away from the pervasive not-in-my-backyard mentality that has gripped virtually every State around the country and has shut off area after area after area to offshore oil and gas production.

This bill will do all of those things in a fair and reasonable way. It will open new areas of land to production, it will open enormous new energy assets, and it will create this model that we can build on in the future to create more energy independence for our Nation. That is what we so desperately lack.

As I said at the beginning, this body is very good at debating, at talking, endlessly sometimes, about every proposal under the Sun, but so often at the end of the day we do nothing after those endless debates. This is an opportunity to do something real and concrete, and to create a model that will provoke even more action in the future. Because we can have endless debates in this Chamber about securing our energy independence, and every Senator here in the context of this debate will likely come to the floor and talk about his or her commitment to securing our energy independence, what are we going to do about it? If we don't change the dynamics of our energy policy, the not-in-my-backyard mentality, which has put a stranglehold on us for years, will continue to survive. But if we change the model, if we allow coastal States to share in the royalties produced from production off their own shores, give them the decision and give them some of the benefits, then we will change the dynamics and, in my opinion, over the next 10 years open significant new areas to offshore oil and gas production and significantly increase our energy independence.

That is why S. 3711 is so important. It does something real and meaningful and concrete right away. We are acting, not just talking. Even more importantly, we are building a model for the future, a positive model that will promote our energy independence by allowing us to go after those resources, including offshore, where the vast majority of our energy assets are in the future.

Mr. President, I yield the floor.

Mr. BROWNBACK. Mr. President, if I could inquire of my colleague from Washington—and I have my colleague from Alabama who seeks recognition—maybe we can get some order set up here. I have a 15-minute presentation. I believe my colleague from Alabama is seeking recognition, if I could inquire.

Mr. SESSIONS. Mr. President, 5 minutes would allow me to complete remarks I began earlier this morning when the majority leader and the Democratic leader appeared.

Mr. BROWNBACK. I would inquire of my colleague from Washington a timeframe she would want, in an effort to establish some order.

Mrs. MURRAY. Mr. President, I want 15 minutes as in morning business. We could go back and forth. I think we could accommodate that quite easily if the Senator from Kansas wants to speak. I ask unanimous consent that following the Senator from Kansas, if I could have 15 minutes in morning business, and then go back to the other side.

Mr. BROWNBACK. If my colleague from Washington would be willing to allow 5 minutes for my colleague from Alabama to finish up his comments? Is that asking too much? I don't want to press it too far.

The PRESIDING OFFICER. Will the Senator modify her unanimous consent request to be that following your remarks, the Senator from Alabama would be recognized?

Mrs. MURRAY. Following my remarks, if the Senator from Alabama wants to go, I would be happy to agree to that.

Mr. SESSIONS. Mr. President, I think what the Senator from Kansas was asking is if I could sort of utilize his time for 5 minutes to complete my remarks and then go to the Senator from Washington.

Mrs. MURRAY. Mr. President, I revise my request and ask that following

the remarks of the Senator from Kansas for 15 minutes, the Senator from Alabama for 5 minutes, and then I would be recognized for 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWNBACK. I thank my colleague from Washington in particular for allowing us to do this. It is very much appreciated.

Mrs. HUTCHISON. Mr. President, I ask the Senator from Kansas to yield for a unanimous consent request that I be placed in line after the Senator from Kansas and the Senator from Washington to speak on this bill?

The PRESIDING OFFICER. Does the Senator yield?

Mrs. HUTCHISON. If the Senator yields, can I then make that proposal?

Mr. BROWNBACK. I am happy to yield to the Senator from Texas.

Mrs. HUTCHISON. I ask unanimous consent I be recognized after the Senator from Kansas and the Senator from Washington.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kansas.

Mr. BROWNBACK. I believe I am to be recognized for 15 minutes. If the Presiding Officer will notify me when 2 minutes remain?

The PRESIDING OFFICER. The Chair will do so.

Mr. BROWNBACK. Mr. President, I rise to speak on the pending business before the Senate, the Gulf of Mexico Energy Act, S. 3711. I wholeheartedly support this bill. We face a dire situation in this country regarding our energy dependence.

I believe this debate is about two numbers and those numbers are 3 and 75—$3-a-gallon gasoline and $75-a-barrel oil. That is what this debate is about, 3 and 75.

We are reminded about this every day. There are probably places in this country paying well over $3 a gallon for gasoline. The price of oil hit $75 this past Friday. There is a good possibility it will even go up from there. We need more domestic drilling to take place. We must reduce our foreign dependency, our dependency on foreign oil. In the future and in the near term as well we have to reduce our dependency on oil.

Things are striking. In the United States we burn 10,000 gallons of oil per second. The United States uses four times more oil than any other nation. Relative to economic output, the United States consumes 7.5 gallons of oil for every thousand dollars of GDP. Oil imports cost us—this is a 2003 number, so they are higher now—oil imports cost us $10 billion a month, as a nation. Those are 2003 numbers.

Energy economists estimate that since World War II, oil price spikes have cost the economy 15 percent growth and $1.2 trillion in direct losses. There is a $7.4 billion increase in the U.S. oil bill per year for each $1 increase in the price of oil. Imagine what that adds up to when you push $75-a-barrel oil. A $1 increase in the price of oil costs U.S. companies and consumers about $828 million in trucking costs each year.

In addition to these facts, we get a large amount of our oil from regions that are unstable at best and unfriendly at worst; 65.3 percent of the world's proven oil reserves are in the Middle East. The Middle East OPEC States already supply the United States with 2.5 million barrels per day, 25 percent of our daily imports.

Further, every day, 26 million barrels of oil flow through two points. One of those points is the Straits of Hormuz in the Persian Gulf. We know the instability that can happen there. A few targeted strikes against one of these two states or against oil facilities in Saudi Arabia, which holds a quarter of the world's oil reserves and essentially all spare capacity—if you can consider any of the capacity spare today—it could take several million barrels of oil off the global market every day for months and send oil prices soaring.

These facts, coupled with the increases in demand that are taking place in countries such as China and India, do not bode well for our national and economic security.

There will be very difficult if not potentially disastrous consequences to our economy if we do not reduce our dependence on foreign oil and, in the future, oil period. If we remain so dependent on foreign oil, we court disaster.

Currently, we have these two mega numbers, 3 and 75; $3-a-gallon gasoline and $75-a-barrel oil.

This bill, the Gulf of Mexico Energy Act, will help lessen the dire situation we are currently in. It opens up 8.3 million acres of the Gulf of Mexico for oil and natural gas exploration. It is something we need to do, we must do now to be able to help reduce our demand for oil products, for foreign oil.

I want to also talk about the midterm of what we need to do. This is something we have to do now to mitigate the situation we are currently in. We really need to do it. But on a midterm basis, we have to reduce our dependence on oil, period. That is why a bipartisan group of 28 Senators has put forward the Vehicle and Fuel Choices for America Security Act, S. 2025. I urge my colleagues to look at cosponsoring this legislation. I think it is the most bipartisan and comprehensive energy legislation pending in front of the Senate today.

We filed it as an amendment on this bill, but as I understand the procedural situation we are in, it is unlikely this is going to come up now. It is still important that we look at this legislation and others to reduce our long-term dependence on oil. It is appropriate Members of Congress from every region of the country and every political stripe—conservative, liberal, everything in between—have all arrived at this same point. For our national security and our economic security, we must reduce our dependency on oil.

It is common sense to reduce our oil consumption, and it is doable. This bill uses new ideas and does not visit old debates or fights. We know the edges of this debate where we divide this body. This doesn't go there. It says what areas can we agree upon, and let's press forward there. For too long our foreign policy has been dictated in part by our need for foreign oil. It is in the interest of America's security for us to look at ways of lessening our dependence on foreign oil, and it is also in the interests of our economy. The pocketbook of every American is affected when the price of oil goes up.

We can create market incentives to use the technology available today to deal with the problem that we are facing right now. We don't have to wait for any new inventions. We can start solving the problem today simply by sending the marketplace the correct signals. There is broad public support for reducing our oil consumption.

This, to me, is one of those American-type problems. We have a problem and it needs to be addressed and we can do it with good, old-fashioned American ingenuity. It exists. The great thing about this bill, S. 2025, is that our 10-year goal is for reduction in oil consumption of 2.5 million barrels per day. That is roughly 10 percent of our total oil consumption and the same amount we import daily from the Persian Gulf region.

How do we do it? Ethanol and renewable fuels must play a clear role in this fight. They are homegrown. We need to be more dependent on the Midwest than the Middle East. Therefore, this helps keep the money at home. We ventured down this road before, but we have never fully committed as a nation to renewable fuels. Now is the time to do it.

I am encouraged by the fact that so many people are literally buying into ethanol today, and into biodiesel—soybean-based diesel fuel. Bill Gates has invested over $100 million of his own money into ethanol. Richard Branson of the Virgin Empire, famous for his success in venture capitalism, is investing in ethanol. These are great signs for the future of renewable fuels, as it is an industry that needs capital investment.

As a government and as a people, we need to fully commit to make renewable fuels a viable alternative to petroleum-based fuel. As long as oil remains above $70 a barrel, the economics of renewable fuels makes good sense. It makes sense for us to continue to push its development, and it makes clear sense regarding our foreign policy and security needs.

Biodiesel is another renewable fuel option and is a farm success story. After Operation Desert Storm in the early 1990s, soybean farmers were struggling to maintain profitability. I was the Secretary of Agriculture in my State of Kansas at that time. Because

of high energy prices and low commodity prices, the farmers were struggling. The soybean farmers started investments in the development of biodiesel. It was a priority for farmers eager to contribute to our energy supply and develop a new market for soybeans. Farmers invested more than $50 million of their check-off dollars. These are dollars they tax themselves to be able to promote their industry. They did this to be able to conduct research and development in biodiesel.

As a result, the biodiesel industry has shown slow but steady success since the early 1990s. However, in the past 2 years it has grown exponentially. In 2004 there were approximately 25 million gallons of biodiesel sales. That increased to 90 million gallons in 2005, and currently it is on track to exceed 150 million gallons this year.

Likewise, we went from 22 biodiesel plants in 2004 to more than 60 biodiesel plants currently, and there are over 40 more plants currently under construction.

Congress has, and continues to put in place, policies that enhance our Nation's energy security. Renewable fuels are playing a significant role in helping to achieve this objective while providing economic benefits to farmers and rural communities.

Another key element to freeing ourselves from our foreign oil dependency is to introduce electricity as a transportation fuel option. Recently, I and many of my colleagues in the House and Senate test drove plug-in hybrid vehicles on Capitol Hill. These cars drive exclusively on electricity for the first 30 miles of every trip. After 30 miles, these cars switch to a normal combustion engine. Over 50 percent of all Americans drive less than 30 miles each day. That means we could have over half of our drivers in America driving exclusively on electricity, not using any oil at all.

The good news is that our electricity generation is produced here in America, whether it is coal, natural gas, nuclear, or renewable sources such as water power and wind. We would be fueling a majority of our transportation sector with American sources of energy as opposed to foreign oil. Plugging in your car during offpeak hours when power is in a surplus and cheaper would soon just become part of the modern daily routine like plugging in your cell phone before you go to bed. Offpeak electricity can be the equivalent of 50-cent-a-gallon gasoline.

The car I sat in, and other Members drove, went 100 miles a gallon by using the plug-in technology, the hybrid technology in the car, and fuel in a combustion engine—100 miles to the gallon, a car available today.

This was a modified Prius. I don't want to tell everybody that this is broadly available. But the people who have modified it to include plug-in technology were using this hybrid vehicle.

Not only will we be sending out money to countries that dislike us, but we will be buying American-made power instead.

Another great bit of news is that we already have the infrastructure in place to produce electricity as a transportation tool. All you will need is an extension cord and a wall outlet. We can't drill enough domestic oil to break our addiction to foreign oil.

However, this bill takes an innovative market-based approach to solve these problems. We can provide tax credits for the production and purchase of advanced technology cars. We expand the renewable fuels infrastructure through a variety of means. We also expand research and development in critical areas such as light-weight materials and cellulosic ethanol. This ethanol, instead of being made out of grain, is made of plant fibers or out of woodchips. We amend the Federal fleet requirements to reduce oil consumption by allowing electric drive technology to qualify under the EPA act.

We require 30 percent of the Federal fleet requirements to be met by advanced diesel, hybrids, or electric plug-in hybrids by 2006.

We also provide tax credits for companies that have fleets of 100 or more vehicles to purchase more fuel-efficient vehicles.

We are all solidly behind the ideas in this bill. It has 28 cosponsors, and we look forward to moving these ideas forward because it is critical for our national and economic security and our economy and our future that we do so, plus it is just good old American ingenuity that we would do something like this and lead the world in moving toward an important electric renewable source fleet of vehicles for our consumers.

Clearly, if we are to continue to live freely in this country, we must figure out a solution to our rising dependency on foreign oil.

That is part of my support for S. 3711. Near term, we have to do more production. Longer term, we have to reduce our dependency and our addiction to oil, period. Here is a bill and a way we can do it. As we observe what is taking place in the Middle East—even today we can see volatility in that region. As we observe what is taking place in our marketplace, I believe you can see a yearning for vehicles that get higher mileage and we can use with plug-in technology.

I think we have to pass S. 3711, and then in the future let's move this car fleet to be based more on renewables and to be based on plug-in technology using electricity.

I look forward to working with my colleagues to be able to accomplish that. I urge us in the near term to do what we have to do—pass this bill which is before us today.

I yield the floor.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. BROWNBACK. I would be happy to yield during the remainder of my time.

The PRESIDING OFFICER. The Senator from Kansas has 50 seconds.

Mr. DOMENICI. Mr. President, I ask unanimous consent to have 1 minute to ask a question.

The PRESIDING OFFICER. The Senator has 40 seconds.

Mr. DOMENICI. Mr. President, I chair the Energy and Natural Resources Committee.

First, I thank the Senator for supporting this measure. It is vitally important that we tell the American people that the price of natural gas rose dramatically today again. There is a big demand.

I think it is exciting to see some Senator like yourself, who has a vision for other things besides this, saying let's do this because we can do it now.

That is a point I want to make as chairman. Let's do this because it will break the mold, break the precedent of moratoria of no deepwater mining, deepwater drilling, and get on with great production. But I want to say to the Senator that I am aware of his bill. I am aware of some of the great ideas in it. I heard him mention it. We had a hearing on parts of it, as he probably knows.

I think it is fair to tell him that the truth is, with this short session, in this Senator's opinion—I really worked hard to get energy legislation passed and was able to pass a comprehensive bill that did some terrific things. He knows that—ethanol, even in the area of cars he is speaking of. We made some giant strides with that Energy bill—I don't believe we could start with the Energy bill this late in the session with the Senator's bill or somebody else's bill without doing nothing and just getting bogged down. I thought: Let's take what we can do and do it. But I don't want the Senator to think the great ideas that he has have been forgotten.

Mr. BROWNBACK. I thank the chairman.

The PRESIDING OFFICER. The Senator from Washington is recognized.

GREENLANE MARITIME CARGO SECURITY ACT

Mrs. MURRAY. Mr. President, we have waited day after day in the Senate on political issues when we should be taking the Senate's time to make America more secure.

Last week, the majority leader mentioned port security in a long list of issues to be debated before the August recess.

While Senator FRIST continues to pay lipservice to this important priority, I remain concerned that with only a week left before the August recess we have no firm schedule or commitment to bring this bill to the floor.

I am worried that while the majority says it wants to act, it refuses to put any action behind that rhetoric.

And here's the bottom line—if God forbid there is an incident at one of our ports—the fingers will point to this Chamber.

And people will want to know: Why did the Senate sit on a bill that passed

the full House and passed the Senate Homeland Security Committee? Why didn't we make these ports secure when we had the chance?

The only thing keeping the GreenLane bill from protecting us is the Senate's failure to take it up. We have to bring up and pass this bill before it's too late.

I am here today because nearly 5 years after 9/11 our country is still vulnerable to a terrorist attack.

Just this week, an article in the Seattle Times showed us that our ports are not secure.

A reporter was able to enter two West Coast ports simply by hiding in trucks that were entering those ports.

The reported walked around cargo containers in areas that are supposed to be secure.

In this case, the security gaps appeared to be on the ''land side,'' but as the article notes—an incident at any port—whether from the land or sea side—could shut down all of our ports. Time is not on our side.

Each year, 6 million cargo containers enter U.S. seaports. And that number is expected to quadruple in the next 20 years. These cargo containers carry the building blocks of our economy.

But without adequate security, they can also provide an opportunity for terrorists to deliver a deadly one-two punch to our country.

The first punch would create an untold number of American casualties.

The second punch would bring our economy to a halt.

Today, we are not doing enough to keep America safe. Standing in this Chamber, it can feel like the dangers at our ports are a distant concern. But given that our ports are connected to our Nation's transportation system and are often close to major population centers, the threat is never far away.

A recent example makes this threat crystal clear. On March 21, a container ship called the Hyundai Fortune was traveling off the coast of Yemen when an explosion occurred in the rear of the ship.

About 90 containers were blown off the side of the ship, creating a debris field 5 miles long. Thankfully there were no fatalities, and the crew was rescued. Fortunately, this incident does not appear to be terrorist-related.

Now I want to imagine this same burning ship sitting just a few feet from our shores—in New York harbor or Puget Sound, off the coast of Los Angeles or Charleston, Miami, Portland, Hampton Roads, the Delaware Bay, or the Gulf of Mexico.

Now imagine that we are not just dealing with a conventional explosion. We are dealing with a dirty bomb that has exploded on America's shores.

Let me walk through what would happen next. First, there would be an immediate loss of life. Many of our ports are located near major cities. If a nuclear device exploded at a major port, up to 1 million people could be killed.

If this was a chemical weapon exploding in Seattle, the chemical plume could contaminate the rail system, Interstate 5, and SeaTac Airport, not to mention the entire downtown business and residential district.

At the port, there would be tremendous confusion. People would try to contain the fire, but it's unclear who—if anyone—would in charge.

Then—when word spreads that it's a dirty bomb—panic would likely set in. There would be chaos as first responders try to react, and residents try to flee.

Next, our government would shut down every port in America to make sure there weren't other bombs on other containers in other cities.

That shutdown would be the equivalent of driving our economy into a brick wall. It could even spark a global recession. Day by day, we would feel the painful economic impact of the attack. American factories would not be able to get the supplies they need. They would shut their doors and lay off workers. Stores around the country would not be able to get the products they need to stock their shelves. Prices for these goods would spike, as demand began to outweigh the supply. And consumers would not be able to afford the items they rely on every day.

In 2002, we saw what the closure of a few ports on the west coast would do. It cost our economy about $1 billion a day. Imagine if we shut down all our ports.

One study concluded that if U.S. ports were shut down for just 9 days, it would cost our economy $58 billion.

Next, we'd realize we have no plan for resuming trade after an attack—no protocol for what would be searched, what would be allowed in, and even who would be in charge. There would be a mad scramble to create a new system in a crisis atmosphere.

Eventually, we would begin the slow process of manually inspecting all the cargo that's waiting to enter the U.S. One report found it could take as long as 4 months to get them all inspected and moving again.

Finally, we'd have to set up a new regime for port security. And you can bet that any new, rushed plan would not balance strong security with efficient trade. Unfortunately, the scenario I just outlined is not the stuff of fantasy. Rather, it is a realistic portrayal of events that could happen tomorrow.

Nearly 5 years after September 11, we still have not closed a major loophole that threatens our lives and our economy. Time is not on our side. We must act, and we must act now.

I approach this as someone who understands the importance of both improving security and maintaining the flow of commerce. My home State of Washington is the most trade-dependent State in the Nation. We know what's at stake if there were an incident at one of our ports.

That is why I wrote and funded Operation Safe Commerce to help us find where we're vulnerable and to evaluate the best security practices.

It is why I have worked to boost funding for the Coast Guard and have fought to keep the Port Security Grant program from being eliminated year after year.

Right after 9/11, I started talking with security and trade experts to find out what we need to be doing to both improve security and keep commerce flowing.

Last year, I sought out Senator COLLINS as a partner in this effort. I approached Senator COLLINS because I knew she cared about the issue, I knew she had done a lot of work on it already, and I knew she was someone who could get things done.

Since that day, we have worked hand-in-hand to develop a bill and move it forward. I am also grateful to Senators LIEBERMAN and COLEMAN for their tremendous work.

We know we are vulnerable. Terrorists have many opportunities to introduce deadly cargo into a container. It could be tampered with anytime from when it leaves a foreign factory overseas to when it arrives at a consolidation warehouse and moves to a foreign port. It could be tampered with while it's en route to the U.S.

And there are several dangers. I outlined what would happen if terrorists exploded a container, but they could just as easily use cargo containers to transport weapons or personnel into the United States to launch an attack anywhere on American soil.

In fact, in April, 22 Chinese stowaways were found at the Port of Seattle. They had reached the United States inside a cargo container. In that case, they were just stowaways. Imagine if they had been terrorists sneaking into our country.

The programs we have in place today are totally inadequate. Last year, thanks to the insistence of Senators COLLINS and COLEMAN, the Government Accountability Office found that C-TPAT, the program in place, was not checking to see if companies were doing what they promised in their security plans. Even when U.S. Customs inspectors do find something suspicious in a foreign port, they cannot force a container to be inspected.

We have a very clear and very deadly threat. We know today that current programs are inadequate. What are we going to do about it? We could manually inspect every container coming into this country, but that would cripple our economy.

The real challenge is to make trade more secure without slowing it to a crawl. That is why Senators COLLINS, COLEMAN, LIEBERMAN, and I have been working with all the stakeholders and the experts to strike the right balance. The result was the GreenLane Maritime Cargo Security Act. It provides a comprehensive blueprint for how we can improve security while keeping our trade efficient.

At its heart, this challenge is about keeping the good things about trade—

speed and efficiency—without being vulnerable to the bad things about trade—the potential for terrorists to use our engines of commerce.

Mr. DOMENICI. Would the Senator yield for a minute without her statement being interrupted?

Mrs. MURRAY. I am happy to do that if I can have additional time to answer the Senator's question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I ask that following the remarks of the Senator, Senator HUTCHINSON of Texas be recognized for 5 minutes.

The PRESIDING OFFICER. That is already part of the order.

Mr. DOMENICI. And that I, the Senator from New Mexico, follow her for up to 20 minutes.

The PRESIDING OFFICER. Under the previous unanimous consent request, the Senator has already been recognized, but no specific time amount was set for the Senator from Texas. Following the Senator from Texas, the Senator from New Mexico will be recognized for 20 minutes.

Mr. DOMENICI. I thank the Chair.

Mrs. MURRAY. Mr. President, the GreenLane Maritime Security Cargo Act does five things.

First of all, it creates tough new standards for all of our cargo. Today, we don't have any standards for cargo security.

Second, it creates the GreenLane, which provides an even higher level of security. Companies have the option to follow those higher standards of the GreenLane, and their cargo—those companies which agree to that—will be tracked and monitored from the moment it leaves a factory floor overseas until it reaches the United States. We will know where that cargo has been, we will know every person who has touched it, and we will know if it has been tampered with. The GreenLane will simply push the borders out by conducting inspections overseas before cargo is ever loaded onto a ship bound for the United States. And we will provide incentives for companies to use those higher standards of the GreenLane.

Third, our bill sets up a much needed plan to resume trade quickly and safely to minimize the impact on our economy.

Fourth, our bill will secure our ports at home by funding port security grants at $400 million. That funding will help our ports and our port operators to develop and implement security plans. They can use this funding to strengthen their perimeter of security, which would have helped prevent a number of security lapses that were highlighted this week in the Seattle Times article.

Finally, our bill will hold DHS accountable for improving cargo security. The Department of Homeland Security is long overdue in establishing cargo security standards and transportation worker credentials. We need to hold them accountable. The bill we have written provides the infrastructure to ensure accountability and coordination.

I take a minute to thank Senator COLLINS for her tremendous leadership on this critically important issue. I thank Senator COLEMAN for his leadership and work as chairman of the Permanent Subcommittee on Investigations. Senator COLEMAN has helped expose our vulnerabilities, and he has worked with us to develop solutions. I also thank Senator LIEBERMAN for his leadership on this issue. I commend all the other cosponsors of our bill: Senators FEINSTEIN, SNOWE, DEWINE, SALAZAR, SANTORUM, GRAHAM, CANTWELL, DURBIN, and BYRD.

We are seeing tremendous progress on the House side with the Safe Port Act. I thank Representatives DAN LUNGREN and JANE HARMAN for their bipartisan leadership.

Finally, I thank the numerous Federal, State, and local officials as well as all the industry representatives for their tremendous assistance in crafting this legislation. Those people truly are the front lines of securing our Nation's ports. I have been very proud to work with all of them.

Right now, today, we have a choice about how we deal with cargo security and the challenges facing us. If we wait for a disaster, our choices are going to be very stark. We should make those changes now on our terms before there is a deadly incident.

Let's protect America before an image like this hits our television screens. Let's not wait until a terrorist incident strikes again to protect our people and our economy.

Earlier this year, the American people woke up and spoke out when they heard that a foreign government-owned company could be running our ports. That sparked a critical debate. Now we need to set up a security regime that will actually make us safer. Until we do, none of us should be sleeping well at night. A terrible image like this, a burning container ship with a dirty bomb in one of America's harbors, could be on our TV screens tomorrow.

This Congress needs to act today. We have heard the majority leader say we need to address port security, but words will not protect us from terrorists, words are not going to help us find a bomb that is hidden in a cargo container, and words won't help us tell which containers could be holding a group of terrorists who are trying to sneak into our country. We need more than words. The Senate needs to take up and pass the GreenLane Maritime Cargo Security Act. We only have a few days left before we can do this. We need to act. I urge the leadership, before the August break, to finally bring up and pass the GreenLane Maritime Cargo Security Act before it is too late.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise today to speak in support of the Gulf of Mexico Energy Security Act of 2006. I was very encouraged by the strong vote to proceed to debate on this bill. I hope we can do this for the people of America to begin to see the energy prices in this country start coming down.

I am a cosponsor of this bill. It is a compromise and reflects much hard work from all of the gulf coast producing States, including Florida. I especially want to mention Senators LANDRIEU and VITTER from Louisiana, who have pushed for a long time for this kind of proposal.

The people of America are not interested in political rhetoric. They want Congress to take action on the rising energy costs in this country. This is a potential near-term solution for a long-term problem.

For too long, we have neglected our own resources in this country, including those in the Gulf of Mexico. This bill will bring access to more than 8.3 million acres in the Gulf of Mexico for oil and natural gas, with the production in leases 181 and 181 south. It will provide access to over 1.26 billion barrels of oil in these areas.

To put this in perspective, the average annual fuel consumption for cars and light trucks, according to the Federal Highway Administration, is 14.5 barrels of gasoline; that is, 607 gallons. This 1.26 billion barrels of oil is enough energy to fuel approximately 87 million vehicles for a year.

We cannot afford to stand by and allow our import costs of oil to continue to increase. Since 2001, those prices have gone up 150 percent. Additionally, the bill will provide access to 5.8 trillion cubic feet of natural gas.

To put that figure in perspective, it is six times the amount of LNG we import every year, three times the amount of gas currently in storage, and enough natural gas to serve 107 million households.

America's yearly natural gas bill has risen from $50 billion to $200 billion over the last 6 years. This increase impacts farmers, ranchers, business owners and households. We must continue to discover and support alternative energy proposals. Congress has done that. Congress passed a bill last year, signed by the President, that focused on other sources of energy besides oil and gas. We gave credits for solar power, biofuel, ethanol, wind energy, all of which are renewable sources of energy that are safe and environmentally clean. That has made a difference. Even wind energy has now become almost 10 percent of the electricity used in my home State of Texas. We know if we put together a number of different kinds of renewable sources of energy such as corn and soybeans, it can be an alternative that takes a tremendous burden off oil and gas, which has been the largest supplier.

I am also encouraged that some of our largest integrated oil companies are moving toward those kinds of alternative fuels. I opened a biodiesel plant

in Galveston, TX, a couple of weeks ago. That is a step in the right direction. It was being opened by Chevron. We are doing some good things.

The global demand for oil and natural gas is rising at a rapid rate. That is what is causing the prices to go up. We have to look to our own resources. One of those major resources is the Gulf of Mexico. I also hope we eventually will look at other resources, such as Alaska, which contains comparable resources to that of the Gulf of Mexico.

We can do something ourselves with the resources of our own country if we combine the research and new emerging sources of energy as well as the old standard oil and natural gas sources we also have. If we don't act, we are jeopardizing our economic and national security.

This bill also helps the States that are allowing drilling to mitigate the costs this production brings to their States. In my State of Texas, we have 367 miles of coastline which has sustained impacts from production. Texas has helped finance and support much of the gulf coast production. The entire Nation has benefitted from lower fuel costs due to these investments. This production, however, has had an impact on my State and the coastal areas of my State. This bill will begin to help mitigate those impacts. It provides the gulf producing States, beginning in 2007, with 37.5 percent of revenues. Fifty percent will go to the U.S. Treasury, and the rest, 12.5 percent, will be shared among all the States of our country. Every State is going to benefit from passing this legislation.

Today, a barrel of oil is selling above $74.

Every American is feeling the impact. This is a piece of legislation that can have a very positive impact very quickly. I urge my colleagues to support this legislation. Let's send it to the President. Those leases will soon be ready for bid. It is our responsibility to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Thank you, Mr. President. Thank you, fellow Senators.

First, Mr. President, and fellow Americans, for those who have watched the Senate over the last couple days, it must have been a pretty enjoyable time because Senator after Senator came to the floor—maybe 12 or 15 versus 2 or 3 opposed—12 or 15, all positive and for something, for a change, sending a signal here in the waning days of this session before we go home for a recess when it is hot out there and the price of natural gas is going up. The people know it, and they are hearing rumors that pretty soon we are going to be importing natural gas from all over the world, where we used to be a totally self-reliant country on natural gas.

We have made a mistake. In the last 17 years, every new powerplant we built—because we were frightened to death of nuclear power—we built for natural gas. We took this fantastic ingredient, this beautiful product of nature—natural gas—and we poured it into the powerplants. And we are still doing some. I did not think we were, but we are still building a couple. Rather interesting. I do not want to even insinuate by saying where, but we are building some.

In the meantime, millions of American homes have done what everybody thought was right, and that was to hook on to natural gas. Then across this land we built a manufacturing base, huge in size, made up of, for example, the chemical industry. I assume the occupant of the Chair knows about industries like that. Many Senators do, and they probably have been contacted by their industries—the fertilizer industry, the plastics industry, involving thousands of workers. What raw product do they use for manufacturing so they can employ and sell products? Natural gas.

So what happened? We used it up. All of a sudden, we had a big problem in the gulf and the price went through the roof. And we had some rigging and a few other things occurring that we found out about with that Houston company. But, in any event, what happened is the price of natural gas skyrocketed and the supply produced by Americans for Americans became insufficient to meet our needs, and we began to say: We are going to have to go buy natural gas around the world.

What a frightening thing. We just got through this huge problem of gradual dependence upon foreign crude oil to where we are more than 60 percent dependent, and there is nothing we can do about it. We cannot produce sufficient crude oil to change that equation, the crude oil needed to run America's transportation needs.

And when we complain, remember the old idea of Pogo: ''We have met the enemy and he is us.'' The transportation needs are 70 percent of the oil used. And that is your cars, ladies and gentlemen, your SUVs, the trucks and buses. That is 70 percent of the oil.

Now here we grow dependent for that. And here in America we grow more and more dependent upon natural gas. And here sits—while all of this is happening—along the seaboard of America a giant sea of natural gas and crude oil which has been taken off the market by what have been commonly called moratoria or moratoriums, saying: Do not touch that because it is off the sea coast of California; do not touch that because it is off the coast of New Jersey. In this case, we have a small piece of Federal real estate. I am not going to put the maps up again today, but it is 8.3 million acres. Sounds like a lot, but, believe me, when you look at the coast, it is small.

We are looking in this bill at 8.3 million acres, which we cannot put out to bid for American companies, large and small, to go drill for what is known to be there. What is known to be there? Oil: 1.2 billion barrels. What else? Natural gas, that thing I just talked about that builds an industry, that builds a manufacturing base, that keeps the price down. Right? It makes supply more rational.

There sits 6 trillion cubic feet of natural gas in that property. Well, that does not sound like anything except it is enough energy to take care of 6 million houses for 15 years. That is pretty good if you look at that as an average American.

So what we decided was: Yes, we surely, last year, passed a great energy bill—which I will talk about in a moment—but we couldn't get this one done, so let's get this one done this year for the American people. I regret to say we were moving forward with, again, locked arms with my colleague from New Mexico, Senator BINGAMAN, to get this done when we had to break. We had to break paths because I decided to stand for the past would get us the fruits of the past, which would be nothing, so that if we did not share some of the revenue with the surrounding States, we would still get no oil and gas, we would still be in moratoria, and we would get no revenue for the Treasury and no revenue for the States. But, most importantly, that beautiful product, natural gas, and the crude oil that is there with it would still be there and nobody could touch it.

So with that in mind, we worked and we worked and we worked, with the help of the great Senator, MEL MARTINEZ, from Florida, who was courageous, and we protected his State sufficiently, I think admirably, for him to say yes. Today I understand his co-Senator said yes. Thank you, Senator. Thank you very much, Senator NELSON. He came here and said yes. Four coastal States said yes. They had been saying no more, and now we have an opportunity.

We do not need to wait around and say: Let's add 20 other items for the American people. You cannot add 20 more items. They still have to go to the House. They do not have 20 items waiting around. So whatever great ideas are pending, we cannot pass them, first, because if you keep adding them, it means you will not pass this bill, and, secondly, they do not go anywhere.

So let's do this one for the American people. And if this happens, it says, put that land out to the American drilling companies now, and a big portion of it will be available within a year—within a year.

Now, I will respond to Senator BINGAMAN's points in opposition.

I do believe that every point he made in opposition is refutable, and I will refute them later. But I want to say the simple fact is we had to go our own ways for one simple proposition. Both of us understood we needed to go ahead and deepwater drill this land, although with the passage of negotiations beyond the time that he and I—Senator

BINGAMAN and I—had reached accord, we added substantial property to this arrangement. But the point of it is, we broke on the proposition of: Shall we bring a bill to the floor with no revenuesharing with the States—which I concluded will never pass; we will not get it done, and we will be right back where we were—or do we do what we have done here and say the abutting surrounding States get a portion?

Now, let's get this straight: The Federal Government still gets the majority. They get 50 percent straight up of the royalty. And 12.5 percent is for the Statewide Land and Water Conservation Fund. And then 37.5 percent over time—which is not much in the beginning, but over time is substantial—is shared with the States that abut so they can say: We are sharing in the burdens while we are joining in sharing in the wealth.

We believe the precedent will flow, once this is done, and we will begin to look to other States, such as the State of Virginia, perhaps the Carolinas, perhaps Georgia, et cetera, and say: What about similar arrangements later? But right now let's give the people a gift of what is theirs now by passing this measure.

Now, there is one very positive thing that is happening that is big on the scene for the American people that is hard to appreciate because it takes time. That is the impact of the Energy Policy Act that is a year old this August. The energy policy bill is beginning to take hold. I regret to say the higher the price of crude oil, the more breakthroughs will occur on the part of innovators and technologists and companies that are making breakthroughs in terms of new kind of cars, new kinds of technology, because the price of crude oil is saying to them it is worth the investment and the risk in something new.

So the high price is bringing on new things. But the act we passed is bringing on huge results. We are in a renaissance period on nuclear power. I wish I could come here and show you the dedication of the next plant, but that takes a while. But 25 applications have taken place since that act, 25 applications for nuclear powerplants. So the Senators who come down here and say: Why do this bill; why don't we do more things; we did more things in this huge bill we passed. We created a nuclear renaissance in the United States.

Second, we have a revolution in biomass which is going to change rural areas into a more vibrant and diverse economic rural America because we are going to use farm products to fill our gasoline tanks with ethanol instead of crude oil. That is all in the Energy bill. The targets are set. The huge mandate is set. And we are rolling with 29 new plants having been built.

One of our Senators implied we should not be so narrow and take just this bill. Just this bill? Just this bill is pretty much—the one we are talking about, right? It is big. It was said: We should not do this. We should do many other things. We did the other things. I am trying to tell you, we did many of them, and we probably should start with a second round next year. But if we start trying to get more instead of this, we will get nothing for the American people, nothing for natural gas supply, nothing for our consumers to rely upon in terms of bringing the price of natural gas down. And that is what I want to do and want to get done.

So the Energy Policy Act did what I have described, and many more things, some of which I will describe later. But I am very proud that in the period of 12 months we will have passed an energy bill that has done all these significant things. They are moving along.

Right now we are wondering about the reliability of electricity on the grid. I can tell you that in the Energy Act the studies are just about completed. Within a month to 2 months they will be ready. And they will tell us how to fix the grid so it will be totally reliable, and the exchanges between the various portions of the electricity distribution system will all be made reliable so you will not have the kind of blackouts we talk about.

That is because of the Energy Act. But you cannot do it immediately. It is in the mill. That is happening, too. So when you look at it, Congress has done some important work in the energy field. Hybrid cars are coming on in large quantities because of the credit, plus the high price of crude oil.

We can continue, but in a nutshell this bill is good for the people who are burdened with the high cost of natural gas, the high cost of oil. It is their property. We ought to develop it and do it now. So it has been my privilege, having served here for quite some time, to be the leader in this particular area. Of that I am very pleased, proud, and grateful.

I remind everyone, while natural gas was taking a little bit of a back seat to the rising costs of energy, it has now joined a parade of increases. Today, my staff informs me that the price of natural gas reached a 5-week high, just in time for us to remind you that you better put this piece of property on the development table so that it can be rendered a productive piece which will, in fact, cause that price to continue to stop rising and to abate over time.

Mr. President, I have said on a number of occasions that passing this bill is the most important thing that we can do in the short term to move toward correcting the supply and demand imbalance of natural gas. I would like to take the time to refute some of the specific criticisms made against this bill by a handful of people.

First, I would tell you that if we do not develop our resources domestically, this revenue sharing question will be moot—because we will not have revenues to share. The capital will be spent overseas for foreign exploration and development and we will continue the cycle of sending our American dollars abroad for our energy sources for use here at home. The Gulf of Mexico Energy Security Act begins to address this problem.

Now, it is argued by a few that this bill is not worth doing because the Minerals Management Service is proposing to open parts of the 181 area in its recently published 5-year plan. Critics argue that since the administration has announced intentions or plans to open parts of 181 equal to 2 million acres—containing approximately 620 billion barrels of oil and 3 trillion cubic feet of natural gas—it is not worth passing this bill which opens over 8 million acres with 1.26 billion barrels of oil and almost 6 trillion cubic feet of natural gas. Even if I were to entertain that logic as being sound, let me tell you the pitfalls of assuming that the administration lease sale will go through as planned.

It starts with the very point that the critics make. In November 1996, the MMS announced and approved a 5-year plan that included an intention to offer 6 million acres known as the original lease sale 181 area for oil and gas leasing. The decision to include this area was the culmination of extensive consultation between the Federal Government and the State of Florida. However, in 2001 when the Department of the Interior went to lease this 6 million-acre area, the administration reduced the lease sale to 1.5 million acres. So recent past tells us that if we hang our hats on the draft plan as critics seek today, we will be disappointed. Critics say—trust the very process that disappointed us a few years earlier in the very same area. I say—in this bill—direct the Secretary to lease the area. I say—make it clear, make it direct and we will get all the resources, and there will be no doubt.

I ask this to those who would rely on a draft plan as a certainty. Since the time you were in school, have you ever written a draft that was the exact same as the final product? A draft is just that—a draft. It represents what could be opened, not necessarily what will be opened. History shows us the peril of assuming that a draft plan will be followed out to completion.

Furthermore, we should not assume that coastal states will sit by and go along with leasing without the compensation needed to fix the energy infrastructure and coastal environment that is so critical to our domestic energy survival. Last week, the State of Louisiana filed suit in Federal district court to block the upcoming lease sale 200 off of Louisiana. They did so because they claim that our flawed policies were inconsistent with their State coastal plans. This should be a warning to all of us. Today marks the beginning of the end of the days of turning our backs on our coastal States while we turn our energy dollars over to hostile regimes.

The critics of this bill will also say that we took too much property off the table in the Eastern Gulf of Mexico to

get the resources in 181 and 181 south. They point to the areas east of the military mission line off the Florida coast and say that we have given up access to 21 trillion cubic feet of natural gas off of Florida's coast. But this argument is illusory.

We do not have access to these areas currently. With or without this bill these areas are under executive moratorium—that has been set forth by two Presidents, one Republican and one Democrat—through 2012, and these areas have been under this executive withdrawal since 1990. Furthermore, for each of the past 16 years, Congress has placed an additional moratorium on these areas without a whisper of challenge. To say that this bill locks up these areas is not forthright.

These areas are locked up until 2012 and ultimately, under the authority granted to the President over 50 years ago in the Outer Continental Shelf Lands Act, the President can continue this moratorium at any time. The current executive moratorium expires in 2012 in the Eastern Gulf of Mexico. This bill extends this time on certain areas to 2022. Does anyone assume that the moratorium will be removed anytime soon? Does anyone see a viable path toward lifting this moratorium in the Eastern Gulf of Mexico off Florida in the near term? The answer, for the time being, is unequivocally—no.

Furthermore, Secretary Rumsfeld is on record as saying that, while the Department of Defense is fully supportive of the national goal of exploration and production of oil and gas offshore, the Department of Defense believes that any such activities east of the military mission line would conflict with essential military activities. Critics say that it is my bill that locks up these areas when in fact, these areas are deemed essential to our Nation's military needs. Until the President, Secretary of Defense, and both Houses of Congress render a different decision about this area, it is specious to suggest that this bill is locking up these areas to production.

Unquestionably, this bill opens up 8.3 million new acres to development of nearly 6 trillion cubic feet of natural gas and 1.26 billion barrels of oil. The proof of the substantive merits of this bill lie in its broad support around the Nation from America's agricultural community, manufacturing community, producers of chemicals and plastics, the textile industry, the utility sector, and small businesses. Literally, thousands of consumer groups representing millions of Americans and millions of American jobs say the same thing—that S. 3711 provides the much needed relief for the American people. I know that I only addressed a few of the criticisms of this bill, but I dismissed them, because they are not real. If I had all day to myself, I would continue to dismiss the criticisms one by one. I will leave that to my many distinguished colleagues who support this measure.

But I will say this—the criticisms are not based in fact, but rather cling to a flawed philosophy of the past. Over the next couple of days, people will trot out quotes, cases, statutes, and general precedent from years gone by. Mind you, all of this data and precedent will come from a time when we did not import 13.5 million barrels of petroleum per day from unstable regions of the world. All of this data and precedent will come from a time when we did not consume 22.2 trillion cubic feet of natural gas and pay more than 3 times the price for it that nations competing for our jobs pay. All of this data will come pre-Katrina and Rita, when our Nation's energy coast that hosts nearly 50 percent our refining infrastructure was ravaged by natural disaster. I ask the critics to rethink their policy of the past, to reexamine this precedent in light of the facts as they exist today, not as they would wish for them to exist.

This compromise agreement is the best thing that we can do now in the short term, to relieve the cost burden on the American consumer. America is watching.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I come to the Chamber today proud to be part of a Republican majority that is working to build a future of hope by securing our homeland, securing our prosperity, and securing our values.

This week, we are debating a bill that will lower the cost of living for all Americans by cutting the cost of gasoline, natural gas, and heating oil. By opening additional oil and natural gas reserves in the Gulf of Mexico, this legislation will secure our homeland by reducing our dependence on foreign oil and securing our prosperity by providing real relief to millions of Americans who are struggling to keep up with their rising cost of living.

Unfortunately, while there are some Democrats who are working with us on this bill, most are threatening to obstruct this important legislation even though it would help lower energy costs for American families and increase our energy independence. We cannot allow a few extreme environmental lobbying groups to continue to hold our country hostage.

American businesses, both large and small, are feeling the pinch. Recent estimates show that since the year 2000, 3.1 million high-wage manufacturing jobs have been eliminated or moved overseas, where energy supplies are plentiful and costs are lower.

American families are also struggling to make ends meet. In a recent survey, nearly 80 percent thought the rising cost of energy was hurting our economy and threatening jobs; 90 percent of those polled said high energy costs were impacting their family budget. Despite having been through the warmest winter on record, heating bills for homes that are heated with natural gas and oil went up nearly 25 percent. Last year, the percentage of credit card bills 30 days or more past due reached the highest level since the American Banking Association began recording this information in 1973. The ABA's chief economist cited high gasoline prices as a major factor.

We recently had good news that Republican tax cuts continue to produce strong economic growth and have helped to create 5.4 million new jobs since 2003. But even as the economy grows and wages rise, family checkbooks still feel the pressure. If you get a $25-a-week raise but you have to spend $50 a week more than you did before for gas, food, or medical care, you are still $25 worse off than you were before. It is no wonder that Americans' optimism about their economic future has faded as concern over their cost of living has increased.

There is no quick fix to this dilemma, but there are many things that will work together to secure our economic prosperity. We can address rising health care prices by making health insurance more affordable for small businesses and individuals and by returning control to patients by ensuring that every American has a health plan they can afford, own, and keep.

Unfortunately, so far this year the Democrats have succeeded in obstructing these key things which would lower the cost of health care.

We can also invest in the flexibility and choice necessary to train the best workforce in the world, so that we can attract the best jobs in the world.

Our goal as Republicans is maximum wage, not minimum wage. Unfortunately, again, the Democrats are obstructing ways that we can create more alternatives and choices to improve the quality of our workforce and the amount of pay people earn.

We can also work to increase our natural gas and oil supplies and to reduce the cost of gas, increase America's supply of energy, while we encourage conservation and reduce our dependence on foreign oil.

The good news is that Republicans are working—one step at a time—to secure our prosperity. We understand the American people need real solutions, not more Democrat obstruction.

Some say there has been no coherent Democratic energy strategy since early in the Clinton administration. Well, I disagree. They have a strategy; it is just the wrong one. As you can see from the chart behind me, the Democratic energy ''policy'' is built on two key principles: raise taxes and block real solutions.

The Democrats, back in 1993, attempted to raise the taxes on gasoline by 7.5 cents a gallon. They were unsuccessful there. But with the Democratic majority and President Clinton in the White House, they were able to add 4.3 cents a gallon to gasoline later in 1993.

The Democrats have blocked energy solutions by refusing to write a national energy policy of their own during the whole 8 years of President Clinton's administration. They have tried to block President Bush's comprehensive national energy policy, and they succeeded for 4 years. As we heard from our chairman, last year, we were able to pass a comprehensive energy bill despite Democratic obstruction. The Democrats have continuously opposed our developing oil supplies in Alaska.

Let's look at one chart to show what happened over the last couple of decades. This makes the point about what this does to energy prices. Our graph shows the increase in gas prices since 1991. At every point along the way is when we voted to expand our oil supplies from Alaska, and at every point along the way the Democrats have blocked this and obstructed it and attempted to blame Republicans when gas prices continued to go up.

Let's go back to the other chart. The Democrats have blocked expanding our refinery capacity, which we know is a key element in increasing the cost of gasoline. We look at boutique fuels, which are the regulation that has required refineries to produce different fuel blends for a number of different States. That raises the price. When we tried to change that, they blocked it.

Coming up to today, the Democrats have blocked energy solutions that would lower the cost of gasoline for Americans and then they attempt to come down here on the floor of the Senate to blame President Bush and the Republicans when it doesn't get done. It is clear that active Democratic obstruction has escalated the American energy crisis and increased the cost of gas.

Republicans recognize that our energy problems didn't occur overnight and they won't be fixed overnight. But we understand that if we fail to address rising American energy costs, we will create yet another incentive for businesses to locate overseas and leave American workers behind.

To keep the United States competitive, we must transform our energy policy to meet pressing short-term supply needs, while exploring new alternative solutions to meet the long-term needs for abundant, affordable, emission-free energy.

In the Energy Policy Act of 2005, we did just that, despite Democratic obstruction. Now, our natural gas capacity has expanded by 1.34 billion cubic feet a day, and 25 new nuclear facilities are being planned. If these 25 plants are built, experts estimate that 15 million households will be powered by this zero-emission source of energy, and 120 new, clean, coal-based facilities are in various stages of being planned.

These are a lot of facts and figures to be sure, but the bottom line is that all these numbers translate into real savings both now and in the future for American families.

But we must do more. To address the short-term issue of constantly fluctuating energy prices, we must eliminate Government-imposed regulatory roadblocks in order to increase our energy supply and get these resources to consumers quickly and affordably. We can unshackle American entrepreneurs—the best in the world—and allow them to fully develop our natural resources and still protect our environment.

Our long-term energy policy must focus on creating a diverse energy infrastructure that includes new technologies such as hydrogen, fuel cells, and other alternative forms of energy. Many of these technologies—currently in early stages of development—have shown great promise and can revolutionize the way we fuel our cars, homes, and businesses.

Mr. President, energy costs are on the rise and the ball is in the Democrats' court. For years they have complained about high energy prices and then blocked the very solutions that would lower them.

Republicans have real solutions on the table, such as the deep sea exploration in the gulf that we are debating today. We know it would diversify our energy infrastructure, and it would increase our supply of affordable, abundant, and environmentally friendly energy. Most importantly, it would reduce the cost of living for Americans and stretch their paychecks all the way to the end of the month.

I ask my Democratic colleagues to reject their leaders' tired strategy of blocking real solutions and then blaming Republicans for the problems that remain. Working together, we can bring down the cost of living for all Americans by reducing the cost of gas, increasing America's supply of energy, encouraging conservation, and reducing our dependence on foreign oil.

With that, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I rise today to join the discussion about the Gulf of Mexico Energy Security Act, and I want to say at the outset that I support legislation to open up lease sale 181 as reported out of the Senate Energy Committee, and I support new environmentally responsible energy exploration in the gulf.

Obviously, this legislation before us differs from what we passed out of the Energy Committee, and we are still looking at the various impacts of this particular legislation. Some of my colleagues have come to the floor to talk about the larger energy debate, and I wanted to make sure I came down and expressed my concerns and comments about what we need to do to move forward on not just having a piece of energy legislation come to the floor that only has one particular provision in response to our energy needs, but what we can do for a broader energy strategy.

Many of my colleagues may have also turned on the television and seen that oil companies continue to report astronomical profit, and the public has a right to ask why. I hope that next week, when we take up the legislation dealing with the reauthorization of the Commodities Futures Trading Act, we might be able to discuss the issue of price gouging and what we can do to protect the public from those kinds of activities. I know many people in America are shocked to see, again, quarter profits from companies like Exxon jump 36 percent, and that is over last year's $10 billion record profit. So a lot of people in America want to know what we are going to do not only in the short term, but also in the long term on this energy issue.

I know that while we are only discussing this particular proposed piece of legislation on one issue, this Senator thinks it is very important to bring up a broader global context to the challenges that the United States faces in this energy crisis and why it is imperative, with everything going on in the Middle East, that we continue to be very aggressive about a U.S. energy policy that will get us off of our focus on oil and get us on to being a leader in the world economy not just in the United States on energy technology but around the globe.

Earlier this month, I spoke to the Washington Council on International Trade. That is in Seattle. It happened to coincide with the 33rd anniversary that Senator Magnuson had taken a trip to China to visit with the Foreign Minister. Maggie led that congressional delegation after President Nixon opened up the door to China, and he had a 2-hour meeting with the Foreign Minister there. It is interesting because there are notes from that meeting in which Senator Magnuson said he was going to talk about everything from the Pacific Northwest to energy issues, but he happened to scribble a little phrase on a piece of paper that is still recorded in history, which says that China can no longer be an island in the world. I certainly believe that China can no longer be an island in the world. Three decades ago, this policy was correct, but it is even more important today as it relates to our global energy needs and the United States and China working together.

It is no surprise that China's influence has come to the forefront of the global economy debate and that everybody realizes that we are tied together in so many ways. President Hu was recently in Seattle, and we discussed a variety of issues between the Pacific Northwest and, obviously, we have a great economic relationship in selling airplanes, coffee, software, and a variety of agricultural products to China. We continued those discussions.

What we see today is that the global energy issues are prevalent in our trading relationship with China, and they are also important to our national security issues and, obviously, to our environmental issues. That is why I believe it is time for us to take up and establish a formalized, high-level dialog between the United States and China on energy policy. There are various accidents of geology in this world, and I think I have said many times on the Senate floor that the United States only has 3 percent of the world's oil reserves. So when it comes to that situation, basically, China and the United States have landed in the same boat; that is, neither one of us can drill our way to energy security within our borders. But both of our economies have grown increasingly susceptible to these global energy spikes, and we need to act aggressively together to address these issues from a global security perspective.

As a result, I think it is in our mutual interest not to view ourselves as competitors for scarce energy resources but as global partners in the race to move beyond the petroleum dependency. Establishing a sustained cooperative relationship with China on energy policy will open up new markets for new American technologies and companies that we can help create and foster with our energy policy here.

Recently, Thomas Friedman wrote that you can, with these new markets, ''turn Red China into green China,'' providing America with economic opportunity and a long-term environmental benefit.

But here are some of the facts: Today, China accounts for 40 percent of the increase in oil demand. The number of passenger vehicles on the Chinese roads have more than tripled since 2001 and may equal the United States by 2030. So China faces a massive transportation infrastructure modernization. We know there are still 30 million Chinese who didn't, in 2004, have electricity. So trying to keep pace with the growing demand, China is essentially adding a huge 1,000-megawatt coal-fired plant to its grid each week. That is like adding the capacity every year to serve the entire country of Spain.

These new coal plants have created problems such as widespread pollution. Sixteen of the world's 20 most air-polluted cities are in China.

Even with the influx of plants and patchworks to the grid, there are various areas of the country that still have uncertain access to power. In 2004, China had a power shortage in 24 of its 31 provinces. They are struggling with the mammoth task of trying to keep pace with their energy needs. Since 2001, their consumption has grown at a rate 1½ times the growth of its overall economy. So we see that China, because it was poorly endowed with natural resources—except for coal—has increasingly become dependent on oil imports.

Now China relies on the Middle East for half of its oil, which is similar to our circumstances. Beijing has been racing around the world trying to lock in production for oil and gas in Canada and Saudi Arabia, and they are looking at suppliers for a variety of energy needs. Unlike the United States, they are looking in places such as Sudan, Angola, Burma, and Iran. As one of our distinguished international national security experts, Henry Kissinger, has suggested, energy resources may cause international conflict in the coming years.

So what do we need to do about that? I believe we need to get serious about this effort here and that the United States and China share concerns about high oil prices. We have a common interest in working together to mitigate global supply shocks and resulting price spikes.

Both nations need to work harder to increase energy efficiencies and to achieve continued economic growth. There is no reason the United States and China should not work together on the same side in virtually all international energy negotiations.

Currently, this is far from the case. Today, China views the United States as a competitor in these energy markets, and we look at them the same way.

The congressionally chartered U.S.-China Economic and Security Review Commission warned of a ''petroleum collision course well before the world's aggregate petroleum supply is exhausted.''

I think they are saying that because they realize this collision course could be avoided if we work aggressively.

This Senator believes we must take three concrete steps that will put us on a proactive path for engagement and cooperation.

First, President Bush should work with President Hu to convene a U.S.-China energy summit.

Second, we should put at the top of our agenda an effort to establish a U.S.-China working group with Cabinet-level leadership from the administration. Establishing such a group was one of the major recommendations of the U.S.-China Economic and Security Review Commission in a report to Congress in 2005.

Specifically, this proposal reinvigorated a 1995 U.S.-China energy efficiency and renewable protocol which I think we should get back to.

At the time, over 30 U.S. firms were involved in activities and programs which were designed to strengthen the bilateral cooperation and advance the role of the private sector by the United States in China's energy development.

A permanent working group would also be necessary to oversee any kind of joint R&D effort and could serve as an arbiter and negotiator for technology transfer issues.

And, third, I believe, in addition to the bilateral engagement, we should work to bring China into a membership of the International Energy Agency.

I know the Presiding Officer has thought a great deal about energy issues, energy cooperation, and protocols. The International Energy Agency is an intergovernmental organization with 26 different member organizations which prepares and seeks information about how to mitigate global supply and shocks.

In recent years, this organization has served as a clearinghouse for information on global energy prices and technologies. With China's membership in this organization, I believe we would see a lot more cooperation and information that could help us mitigate some of these spikes.

Some people have looked at China's energy policy and called it ''mercantilistic'' as they go around and buy up these resources at the wellheads in various regions of the marketplace. Encouraging them instead to be involved in the IEA would move Beijing to be a more constructive player in the global energy marketplace.

Clearly, these initiatives—a Presidential summit, establishing a direct U.S.-China working group, and promoting China's engagement in the International Energy Agency—are just a few steps down a very long road to a complicated energy security issue.

But it is clear that the economies of the United States and China are now intertwined, and our energy security should be considered with a common purpose.

This issue will color our relationship with China for decades to come, but if we are direct and proactive in our engagement, there is also opportunity, and an opportunity for the United States in meeting China's energy needs is key to their domestic stability and economic growth. Improved cooperation between our nations could have significant economic benefits for both countries.

Let me talk about that innovation for a second.

The reason I am raising this issue within the context of today's debate is because we are missing an opportunity today. Rather than simply focusing on drilling, we should be debating what is going to give America and American companies the lead in 21st century energy technology.

Because there is an opportunity on the horizon in China and other growing economies, there is a huge opportunity to export American technologies and products, but we need to seize the technology lead to do so.

Earlier, I spoke about the challenges China faces with its incredible growth in demand. Modernizing China's domestic energy infrastructure will require a $35 billion investment. That is every year for the foreseeable year—$35 billion in investment every year for the foreseeable future.

So we must work to open up these Chinese markets to grid management software, smart metering technology, new transmission technology, biomass and biofuels, and related innovations. These things are emerging technologies in the United States, which we

could further accelerate not just for our domestic benefit, but also as a supplier for that growing, demanding Chinese market.

Given the evolving nature of China's energy industry from its complete state-controlled entities into more hybrid models, we can help crack open these markets, I believe, overnight, and gaining entry, once again, requires us to be very proactive and engaged, with a sustained commitment. I believe whoever develops these technologies that break through to these economies will hold the key to the 21st century. I want the United States to be the technology leader there, and I want us to continue to look for these huge market opportunities to do so.

Essentially, China today has a 20-percent more fuel-efficient target than we do. The 2005 renewable energy law mandates that 15 percent of China's energy comes from renewables by 2020, and the plant also sets a 20-percent savings standard for new appliances and other technologies.

Consistent bilateral involvement with U.S. counterparts through a U.S.-China energy working group could help foster the changes that we would like to see with U.S. technology companies and could help us grow those businesses and opportunities.

Figuring out how to navigate these barriers, as I said, I believe requires greater cooperation and greater administration involvement in making sure there is a U.S.-China relationship.

The International Energy Agency estimates that China will spend $2.3 trillion over the next 25 years to meet its growing energy demands, and that just modernizing its electricity grid would require $37 billion annually, a figure that I referred to a few moments ago.

So these are great opportunities for U.S. markets. They are great opportunities to show that we can work together to be effective. For example, already some organizations on the west coast are working together with private foundations and public-private partnerships. For example, last year the State of California signed a pact with a sister province in China to provide technical assistance to work together on demand-side technologies. The agreement came in large part due to the work of the U.S.-China Efficiency Alliance, a nonprofit group that counts as its founding members and leaders various State officials, academics, environmentalists, and, obviously, some of the large utilities.

The reason China is a huge market for these kinds of opportunities and that this is taking place, obviously, from the west coast perspective is because the west coast has already had an aggressive trade relationship with China and also has been aggressive about these clean energy technologies. So this is happening to a certain degree already on the west coast, but it is a great economic opportunity for our entire Nation if we continue to accelerate it.

The question I have in mind today is, why are we ignoring this larger debate and opportunity? Why are we not debating a larger energy bill for the 21st century in which we continue to promote the energy innovation that can lead to a cleaner environment, better energy security, and certainly greater national security?

Fourteen years before he went to China, Senator Magnuson told the Seattle PI newspaper that failing to trade with China was basically ''pretending 700 million people in the world don't exist.''

Thirty-three years later, it is about time that the United States really understand that phrase. It is time that we understand the internal transformation and opportunity to work together on energy policy to solve some of our common problems and realize some of our great economic opportunities.

I hope next week we will continue to discuss various energy policies. I hope we will continue to open up this legislation to further amendments so that we can get to other issues that will really help the United States succeed in addressing our energy challenges.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALEXANDER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I have come to the floor again today to speak about the bill Senator DOMENICI and many of us have brought before the Chamber. The Presiding Officer has been a great leader in this effort to fashion a bill that has many fine points and good points and needed points for the country.

One, it would provide us with a new source of oil and gas that will help us increase supply in hopes of reducing and stabilizing the price of oil and gas in this country. The other fine and wonderful point of the bill is that it takes a portion of the revenues that are now going into the Federal Treasury—but future revenues—and dedicates them to a conservation royalty, because Mother Nature every now and then needs its share, too. Being from Tennessee, Mr. President, and a leader in the environmental area, you most certainly can appreciate the value of that.

Of course, the great point for Louisiana, the gulf coast—not that those two points aren't very exciting to us as well—is the chance to have a new source of revenue to actually reverse decades of loss of precious and valuable wetlands. These wetlands not only protect the 10 to 15 million people who live along the gulf coast from Texas to Alabama, but also that will restore the wetlands, which we in Louisiana call America's wetlands because it is the mouth of the greatest river system in North America. So many of these wetlands help the industries of trade, commerce, oil, gas, fisheries, and the general environment for the whole Nation.

But today I wish to speak a little bit more about the history of how we got where we are today and then talk about the value to the Nation of taking such a positive step forward, a big step, a positive step and a step absolutely in the right direction. Yesterday, Senator DOMENICI, the chairman of the committee, and I spent some time clarifying the record regarding President Truman. The fact is, this was not MARY LANDRIEU's idea, as much as I would like to take credit for it; this was Harry Truman's idea: to establish a partnership with the States when oil and gas was first discovered, knowing it would take a strong partnership to sustain this effort over time, and an interest on the part of the Federal Government, the local government, and the State government to engage in the technology necessary and the financial wherewithal necessary to pursue this frontier, basically, whether it was the frontier of the West or the frontier on the Outer Continental Shelf, to get the natural resources to make this country great.

Now, of course, President Truman, having come from the experience of the Second World War, really understood what he was talking about because although our military and the allied forces were quite spectacular in winning that war, sometimes I think we forget that it was the steel workers and the iron workers and the shipbuilders and the boat builders and the women and the families who sacrificed at home, saving their pennies to send every spare item we could for the machinery necessary to win a war. Yes, it takes bravery. Yes, it takes men and women in uniform. But it also takes a lot of steel, a lot of supplies, a lot of petroleum, and a lot of natural resources to win a war. America won that war in large measure because we had the natural resources and the military might combined to provide the strength to the allied forces to win the great war.

It was America's oil production—America's oil production—that Winston Churchill said made him transfer the British fleet from coal-powered to oil. Here is a nation literally under siege, and a great leader makes a strategic decision. He would rather depend on American oil than maybe his supplies of coal in Europe to give him the staying power to sustain that war. In the Second World War, German tanks stalled for lack of fuel, and Japan had to cut the operations of her fleet. It was America's natural resources that propelled our allies to victory.

I think perhaps sometimes in this world in which we live, where everything seems so automatic and you just turn on a switch and the lights come on, you plug in your computer and it

gets booted up, you turn your coffee on in the morning and it automatically smells beautiful in your house, it takes a lot of effort to produce the energy which is necessary to make our lives the most comfortable the world has ever known and perhaps will ever know. But in the Second World War, they understood they needed lots of things to win that war, and one of them was the natural resources of oil and gas. We didn't know too much about the environmental aspects of it back then but, frankly, all we cared about was getting our troops home, beating the Germans, winning the war, and saving the world for democracy, which we did.

Then, through the 1950s and 1960s, we got smarter, just as you should if you are growing all the time and you learn, and we understood better about the environment. Then something went wrong in the 1960s. Something happened in the 1960s. We forgot where we came from. We forgot the sacrifices that had been made. We had a very dramatic spill off the coast of California—not a pretty picture. The country was on fairly good financial footing, and we just sort of started backing up. In my mind, we have been backing up ever since.

We need to get in a forward gear with a proper mindset to move this country back in the direction of natural resource production, with all the benefits of the new technology, with all the benefits of knowing the mistakes we made—no turning our back on them—not pretending the spills didn't happen, and not pretending oil and gas isn't a dangerous business at times.

I can remember seeing on television one night—I think it might have been on the Discovery Channel, which is a wonderful channel my family enjoys watching—they were talking about how we first designed hot water heaters. Of course, we take hot water coming in our house, clean water in America and hot water, for granted. It happens so frequently, we don't think about it. But when I was watching this on television, the story was saying we didn't always have hot water in our houses and it was quite a feat to try to get hot water heaters.

In the beginning, when people had them—and I am sorry I can't remember the year—they kept blowing up, and they would just blow people's houses up and people got hurt and people died. But nobody said: Oh my gosh, we just can't have hot water. We pursued and developed the technology, and now we take for granted the most amazing thing which is in almost every house in America: you can turn on the faucet—not in New Orleans, where you can't get any water pressure today, but in most places you turn on the faucet and get clean hot or cold water, to the temperature of your choice. But it didn't happen because there weren't accidents or problems, but we learned and we perfected the technology. You can say a thousand times how that happened in America, but for some reason we got stuck on this natural resource issue and can't get off of it.

We have an opportunity this week to move past the 1960s and 1970s and to be responsible at a time when our country needs more gas and oil. Now, we are going to move beyond petroleum. We are going to develop new technologies. If Senator DOMENICI has his way, he would have the 15 new programs we authorized in the last Energy bill funded to actually invest in new technologies.

We are good in this Chamber about talking about things, but actually we don't put the money to them. So we sort of pretend we are doing things. But even saying that, we are making progress. I would support more investments in alternative energies and real money for real projects to move in that direction. But until we do and as we are doing that, we need to drill for oil and gas where we can.

I want to show you here in America what the pipeline systems look like today. This is the pipeline system: an extraordinary network of private sector—with government support—pipelines that bring gas from Canada, that bring gas in from the northwest part of Canada, bring a multitude of riches from the gulf, the gas connections that move up through your State, Mr. President, all the way up to the Northeast. And then you can see another in north Texas, in Dallas, Oklahoma gasfields, because, of course, Oklahoma and Texas understand gas. They have a lot of it. It is shallow in large measure, but they are producing a great amount of gas for the Nation. This is what it looks like now.

This is the area which we along the gulf coast understand is rich in natural resources, and we have almost perfected the technology to reduce the footprint, to drill far down into the floor of the ocean, deep into the coastal areas here that are abundant in resources and provide the gas necessary to keep people cool in the summer, warm in the winter, and to keep the manufacturing sector of this country competitive because we have competitors now, big competitors—China and India—and if we don't want to lose every manufacturing job in America, and we are on track in some measure to do that, we better find some gas and oil somewhere here.

But in the 1960s, as I said, we got stuck in a place that has been dangerous for this country and went from being a net exporter to win the greatest war ever fought. But in the 1960s, the situation flip-flopped and the United States became a net importer of oil, a situation which has deteriorated to the point where today we import 60 percent of our oil. It would be bad enough if we were importing that oil from friends because when you deal with friends, maybe they would give you a good price and maybe, even if it was tough for them to produce it, they would still give it to you because they are your friends. But we are importing oil from places in the world that are not friendly, that are dangerous. When the price goes up, they are happy if it goes up higher because they know we are dependent on it. I don't know if Americans feel as strongly as I do, but I know people in Louisiana do. We are happy to have a mutual dependence, I guess. We don't think we live on an island, but we don't like to feel dependent. We like to feel strong. We like to have choices. When you owe people a lot of money or you get your oil and gas from people and can't get it yourself, it puts you in a dependent position—not a good place to be most of the time. That is the place we are in right now in America. So one of the reasons this bill is so important is that it reverses 30 years of drift, 30 years of not clear thinking about what dependency really means, and we have to make the change.

I would like to see this bill be a little broader in its scope, but it has been a compromise, and that is the nature of our political system. This is not a dictatorship, it is a democracy. We on the gulf coast have worked out a system that seems to work pretty well, protecting Louisiana and Mississippi and Alabama, and respecting our friends in Florida who have chosen a different path for this time, and that is just the situation we are in right now.

I think as we open this 8 million new acres here and we can see more of the benefits for the whole Nation, that perhaps, as some of us continue to speak and travel the country and speak about the benefits of being less dependent on foreign oil and gas and more independent, more self-sufficient, and developing alternatives and conserving where we can as well, maybe the situation will change. But this is the step which needs to be taken.

Some people say: Oh my goodness, there is just not enough oil and gas here. I want to tell you how much there is. It contains enough natural gas to heat and cool 6 million homes for 15 years. It holds six times the amount of liquefied natural gas imports we are importing today. It represents more oil than we import from Saudi Arabia, and it will produce more oil than found in the reserves of Wyoming and Oklahoma combined. So I know when you look at the whole country and you see just this little 8,337,000 acres, people say: Oh my goodness, that is not very much. But it is more than the reserves of Wyoming and Oklahoma combined. This is a very rich area, and Americans deserve to benefit from the natural resources that belong to them.

Believe me, people around the country, some people think: Well, they must not care about their environment.

I do not have a statistic about this, but I bet people in Louisiana and Mississippi and Alabama and parts of Texas spend more time in the water than anywhere else because we are hot most of the time and we like to swim. We swim in our bayous and we swim in

our lakes and we swim in our gulf water, and we swim all year because it is warm all the time. Our temperatures are good throughout the year.

I do not have statistics on it, but I bet you we fish more per capita. We have more fish than we know what to do with. I laughed when I told my children—I took them out fishing in the West—not to be critical of the West. It is beautiful, of course. But we fished in a stream, and the rule was, after you caught three fish, you had to throw them back. My son, who is 10 years old, said: Mother, I have never been to a place where you have to throw the fish back, because where we fish, we have limits, but they are pretty good limits. You can catch 30 redfish, lots of trout, and you keep them and then you eat them that night. This would be a sad world if you had to throw back every fish you caught. It is a matter of managing your resources. We do that very well.

People look at me, and they think: MARY, you are not saying the truth. But I am. The best fishing is around the rigs. The best fishing is around the rigs. And when you are on these rigs—these big platforms—you can look down, and you can see the fish. I do not need to read this in a statistic. You can see the fish around the rigging. Why? Because it acts as an artificial reef, and it creates a food supply, and the fish naturally gather there. So we have been doing this a long time in Louisiana. We would not suggest it.

We do have beaches. We do not have the same kind of beaches as Florida, but we have a proud and beautiful wetlands. We are concerned about our environment, and we know that while there every now and then are mistakes, the technology is getting better and better and better, and we can get American gas so we do not have to talk to Iran, if we do not want to, we do not have to send our troops to Iraq unless there is good reason, and we can keep our business right here in America.

I want my colleagues to know how appreciative I am, and Senator VITTER, for the help and support for this bill and what it will mean to the gulf coast and for Louisiana to save our wetlands. But I also want to say that for the Nation, as a Senator, I know this is the right thing. And it is long overdue. We have to open up resources in this Nation and use the technology.

Now, I do not know when we got off this track. I do not know when it happened. I do not know if it was gradual. But we have to be confident in our ability to move forward and to not be afraid but to be bold and press this technology so we can have the independence and energy we know we must have.

I look forward to the day when I do not think my children will have to be dependent on either China for financing or the Mideast for oil and gas, that they can be like my parents' generation: pretty darn independent. We better get back to that independency in this country. We can make friends when we want to, but we do not have to when we do not need to or do not want to.

In addition, I say to the Presiding Officer, because you have been so good about this issue, I want to say something about a program. There is a program—we have tried to make it a trust fund. We did not succeed. But in 1965 some very bold, progressive-thinking individuals created the Land and Water Conservation Fund because they knew the American population was going to grow exponentially.

We now have almost 300 million people in this country, and many people around the world who want to come and live here, as you know. So we created the Land and Water Conservation Fund, a little program relative to the billions of dollars we spend up here—only $450 million for the State side and $450 million for the Federal side—to try to provide some—in the scheme of things, it is pennies—to provide for parks and recreation and the expansion of bike trails and walking trails and to preserve the great outdoors.

I say to the Presiding Officer, you have been a great leader on the outdoors. When you think about the beauty of the Smoky Mountains and you think about the beauty of the Rocky Mountains in the West, you think: Please, God, don't let us ruin that. Let us keep it.

Well, the way you keep it is not by wishing for it but by paying for it. And the way you pay for it is to put it in your budget. We tried that, but it did not work. So in 1965 we spent $10 million in the whole country. In 1982, we spent nothing because it got zeroed out. Then, in the 1980s, it went back up. You can see basically the high point was in the late 1970s, at $350 million. One time, 1 year, we sent $350 million out to all the States, which is not very much money per State, to help them with parks and recreation. Even though this was not much, I will tell you what this money did. It built thousands of parks and thousands of ballparks for our kids to play in and helped shore up the urban parks in New York and New Orleans and Memphis. It saved the redwoods. It helped to establish the great wilderness in the Smoky Mountains. You could go on and on with what this little money has done because it got sent to the States. They stretched those dollars, and they made it work.

In this bill, we have a plan to fund this gradually until it will go up to, hopefully, $450 million out of new revenues. So it does not contribute to the deficit. It does not take one penny against any other program. But it helps us to build the parks and recreational areas so my children and grandchildren can continue to swim in those bayous, can continue to enjoy Lake Pontchartrain, and whether they are in an urban area in a little pocket park or in the great Smoky Mountains where they could walk for days without seeing a person and only a few bears—wherever they are, they can enjoy it.

So that is a great thing this bill does. I hope it survives the conference and the negotiations because sometimes Mother Nature does not have the advocates she needs here in Washington. This bill we have presented is not only good energy policy—because we need more production—it is good environmental policy, and it is good economic policy.

One final argument I would make for the bill is this: I know anytime you bring a bill to the floor, everybody has an important amendment. I have several other amendments. People could not believe it, but I want to have several other amendments on this bill. I know my colleagues have some great ideas. And they say: Well, why can't we debate all sorts of other things? Why do we have to debate the focus of this bill?

I have an answer for that. Because we debated, for the last 6 years, an energy bill. We debated for 6 years—day after day, month after month, for 6 years—up until a few months ago an energy bill. We had CAFE amendments. We had alternative fuels. We had reliability amendments. We had nuclear power. We had amendments about how to distribute the waste from nuclear power. Should we use electricity? We debated and debated everything about it.

So I do not want people to be left with the impression that those of us who are on the Energy Committee provided no opportunity for people to debate. We literally took 6 years to pass—10 years—10 years, excuse me, to pass the last Energy bill. So 10 years we debated. We do not have 10 years. We have until August. We have until September. We have to limit the debate. I know it is unusual, but we have to take, in my view and in Senator DOMENICI's view, a positive step forward. We have time again to debate CAFE. We debated it for the last 10 years, and we will debate it again.

But right now let's take this time to remember our history, to remember the great strength natural resources are for the country, to not think of this as helping the gulf coast, which most certainly needs help, but that it is the right thing for America at the right time for America, and in a way that honors the spirit of this body, which is open to debate. We do many debates, and will continue, but for this bill, let's pass it. Let's send a signal to the American people that we are changing course.

Today's debate is focused on 8.3 million acres of submerged land in the Gulf of Mexico, but it is really about something much broader and much more important. It is about our country's future.

It is hard to believe today, given the complete turnaround in circumstances, but the energy reserves of this country were once the security blanket for Western democracies.

When Winston Churchill, as First Lord of the Admiralty, transferred the British fleet from coal power to oil, he did so knowing that it was American oil production that he would rely upon in a crisis.

In the Second World War, as German tanks stalled for lack of fuel, and Japan had to cut the operations of her fleet, it was American natural resources that propelled the allies to victory.

U.S. energy production was a strategic asset that allowed our economy to hum in the 1950s and become the envy of our competitors during the cold war.

Yet sadly, we allowed this great strategic advantage to slip away.

Economics played its part. At the same time as U.S. energy resources became more scarce, readily accessible oil from the Middle East started to come online.

By the 1960s the situation had flip-flopped. The United States became a net oil importer—a situation that has deteriorated to the point where the United States must import 60 percent of the oil, making us the largest consumer of energy in the world.

The truly frightening thing is that this country is bracing to allow the same circumstance in natural gas. With seemingly no one guiding our strategic energy direction, this Nation is now preparing to double the amount of natural gas imported into this Nation by 2014. The country is faced with 45 planned or proposed liquified natural gas terminals. While it is obvious we need them, we must also acknowledge that we are building the infrastructure of dependence.

So one of the reasons this bill is so important, is that it reverses 30 years of drift, 30 years of policy avoidance masquerading as an energy policy. We are sending a signal to the American public and the world that we are serious about regaining the strategic initiative in energy.

We are in a hole that took a long time to dig, so we must understand it is going to take us a while to dig ourselves out.

But we are not going to allow American security to be crippled by this strategic weakness any longer. The idea that we can do this by additional exploration and drilling alone is false on its face. But it is equally false to say that the step we take today will not help.

For the first time in 20 years, America is taking approximately 6 million acres of land that is currently under moratoria out of moratoria. That is a signal that we are getting serious. Furthermore, we are opening up a resource-rich region of the coast. It contains enough natural gas to heat and cool nearly 6 million homes for 15 years. It holds six times the amount of our annual LNG imports. It represents more oil than we imported today from Saudi Arabia. It will produce more oil than found in the reserves of Wyoming and Oklahoma combined.

That is an important step, and it sends an important signal to the world.

A couple of months ago, I hosted a group of French Senators who are involved in energy issues for their nation. When I showed them a map of the coastal resources that we have put off limits in this country, their mouths dropped. They could not believe that we would place so much of our security in foreign hands, while tying the hands of American production behind its back.

We have taken an attitude that somehow drilling and tourism are incompatible no matter the distance involved. Do you know that our colleagues in France are drilling for oil on the outskirts of Paris? Now that is making energy independence a priority.

Richard Holbrooke is well known to Members of this Chamber and has engendered real respect in the foreign policy community. He stated that our failure to reduce our dependence on foreign oil is the greatest failing of this country over the last 25 years. I agree.

We can only wonder what an American foreign policy not hobbled by dependence on foreign oil would look like. I promise you this, everyone in the world would sleep a little safer.

Iran derives 50 percent its revenue, and almost all of its hard currency, from the sale of oil. We know where those revenues go. They go to Katushka rockets, they go to Hezbollah terrorists, they go to a covert nuclear weapons program.

It is fine to say that the United States does not buy oil from Iran. But oil is a global market. It does not matter if it is Americans who buy the oil from Iran or the Chinese. If demand is high, Iran will derive huge revenues.

The truly sick piece of this policy is that the American public pays twice. First, they pay at the gas pump, and then they pay taxes so that our Government can spend billions of dollars trying to undue the evil that Iran propagates around the world. It is like giving money to the neighborhood burglar so that he can buy a gun.

It is time that our country retake the high ground and the strategic initiative on energy. This is only the first step of many. Conservation, alternative energy, nuclear power must also all receive consideration and attention from Congress. But this is a step that we can take today.

It took the Congress a decade to pass an energy bill—we did it with bipartisan leadership last year. Imagine the signal we are sending by passing another important piece of energy legislation within a year of that effort.

Mr. President, I yield the time.

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. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. COLEMAN). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DORGAN are printed in today's RECORD under ''Morning Business.'')

Mr. DORGAN. 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. SALAZAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I rise today to discuss S. 3711, the Gulf of Mexico energy bill which is before the Senate.

At the outset of my remarks, I say I come to the Senate today to speak about this particular bill with a heavy heart. It is a heavy heart because the approach which the Senate Committee on Energy and Natural Resources has taken over the last year and a half has been a good template for how we ought to do the business of our country; that is, bringing Republicans and Democrats together to try to work out an agenda in the best interests of America.

In this particular circumstance with this bill, with the opening of the gulf coast of Mexico, we did have a bipartisan bill that emerged from the Senate Committee on Energy and Natural Resources. Unfortunately, from the time it came out of the Senate Energy and Natural Resources Committee until today, it has been changed in some significant ways.

The concerns that have been raised by ranking members are legitimate concerns for several reasons. One is a reason related to the relationships in this Senate and how we get along with each other to try to come up with solutions to face the common problems we face in America today. We were able last year in the Senate Committee on Energy and Natural Resources and the Energy Policy Act of 2005 to put together the kind of broad bipartisan coalition that emerged in a good bill. It was not a perfect bill, but it was a good bill.

I hope the relationships that carried us to a successful conclusion with the Energy Policy Act of 2005 will be more the norm around here than the exception. I am hoping, as we work our way through this particular legislation, that those positive relationships will also be restored.

From my point of view, when we worked on the national Energy Policy Act of 2005, I saw that as an effort, as a Democratic and Republican effort to build a house of energy independence

for America. I saw the house of energy independence being built on cornerstones that are important for us to achieve energy independence.

We knew then and we know today that we could do much better with conservation. The experts at the Department of Energy tell us in the Senate, oftentimes in our Senate Energy and Natural Resources Committee, that we waste 62 percent of the energy we consume in America today. We in America can do better. We can do a lot better with conservation.

The experts also say we are at the dawn of a whole new revolution with respect to biofuels. There are many Members of the Senate who have worked to advance the cause of biofuels over the last several years. That renewable energy future for America has great potential to help build this house of energy independence.

Third, a key cornerstone is the new technology being advanced and explored throughout our country, including the possibility of looking at things such as coal gasification. We know coal for the United States is no different for us than oil is to Saudi Arabia. We have vast resources of coal. The only problem we have with coal is when we burn it, there are environmental problems created. As we have the technological breakthroughs in coal gasification, we can take advantage of one of the greatest natural resources we have in our Nation. So technology is one of the cornerstones, one of the keys that will help get us to energy independence.

Finally, the development of our natural resources is very important. For instance, on the gulf coast or mountain lands of my State of Colorado, it is important that we develop those natural resources in a way which is sensitive to the environmental impacts created from that development.

As we move forward and look at the possibility of the increase in the modest production which will come from the opening of lease 181 and the area to the south, we ought to look at other issues relating to energy and energy independence.

With gas prices over $3 a gallon and with growing instability in the Middle East and a deepening dependence on foreign oil, today should be the day in the Senate where we are talking about the broad array of ideas relating to energy independence. We ought not to be so narrowly focused on a very small development in the Gulf of Mexico—an important development, but nonetheless, in the grand scheme of getting us to energy independence, it is simply a small step in that direction.

Now is a time for this Nation to embrace new ideas with regard to energy. Now is a time for a real discussion of energy in this Senate. It is time for a new direction for America as we look at the future of energy for this country and for our world.

Gas prices today have jumped 25 percent in just a little over a year. And let's not forget they have doubled in the last 3 years. Today we are paying twice as much for gas at the pump as we were 3 years ago.

Second, we remember, at the near anniversary of Hurricane Katrina, the great disruptions that were caused across America because of Hurricane Katrina, those disruptions showed the vulnerabilities of our oil and gas infrastructure.

Third, today we are facing a deepening cycle of violence and confrontation in the Middle East, making it a stark reminder to all of us that our overdependence on foreign oil brings grave risks and dangers to America's security.

The American people and a large bipartisan group of Senators in the Senate share a vision for an energy-independent America. That vision is one which is powered by renewable energy. It is a vision which recognizes the new generation of clean coal and energy-efficient technologies. Unfortunately, because we are not allowed to amend this bill, we will not have the chance to have that discussion about these ideas which have been generated by many of the Senators in this institution. We should allow those ideas to come.

I will highlight four ideas I believe we should be considering in the Senate today.

First, we should create a national renewable electricity standard. We passed a renewable portfolio standard less than 2 years ago in Colorado. It is a modest standard. It was not a standard that required 30 or 40 percent; it required 10 percent of the power the utility companies deliver to come from renewable resources by the year 2037. That forward-thinking initiative has already spurred a boom in renewable energy production in our State, creating jobs and revitalizing rural economies. You see them in the wind farms in Logan County. You see it in the solar energy utility farms now being built across my State. We can do the same thing on a national level. In fact, Senator BINGAMAN's renewable portfolio standard that passed in the Senate last year but was rejected in a conference with the House was a step in the right direction. We should have that kind of a standard, or perhaps we could try flexible renewable electricity standards that account for regional differences in our country. There is no doubt that a renewable electricity standard would usher in a new era in renewable energy production across the country. That would, in turn, reduce our dependence on fossil fuels.

Second, we should establish aggressive goals for reducing our dependence on foreign oil. We should employ the full force of our policies in our Nation to achieve them. S. 2025, the Vehicle and Fuel Choices for American Security Act, which has 25 sponsors, Democrats and Republicans alike, establishes achievable goals of saving 2.5 million barrels of oil a day by the year 2015, 7 million barrels a day by 2026, and 10 million barrels a day by the year 2030. We should be having a debate on S. 2025 in the Senate today.

Third, we know we must do a lot more with biofuels. We must also do more to put biofuel-powered vehicles on the road. Right now, the United States consumes about 20 million barrels of oil a day. Two-thirds of the oil we consume is for transportation. We need to substitute that oil with biofuels, biofuels grown right here in America, on our farms and in our fields. To do this, we need to bring more gallons of biofuels to the market. We need to give consumers access to alternative fuels at filling stations.

We need to retool America's vehicle fleet to run more efficiently and on alternative fuels. S. 2025 does this, and we should bring to the floor that legislation so that we can have a discussion about the positive contribution that would make on our road to energy independence.

Finally, we should have a candid discussion of how we can improve the fuel economy of our vehicles. A number of proposals are circulating in this Chamber that would, for example, raise CAFE standards or implement a ''feebate'' program. Last week, Senator COLEMAN, along with Senator OBAMA, and others, introduced a bill that takes a somewhat different approach to raising fuel standards—one that moves us in an honest direction to have a much more efficient national vehicle fleet for America.

Mr. President, there are many other great energy legislative initiatives circulating in this body. You see them in the Clean EDGE Act, the Vehicle and Fuel Choices for American Security Act, the Enhanced Energy Security Act of 2006, the Alternative Energy Refueling System Act, and other bills that have yet to receive appropriate attention. We should bring them forward to the floor. It is not as if they belong to one party or the other. The Roman philosopher Seneca once wrote: ''The best ideas are common property.''

We ought to be thinking about energy independence, not as Democratic or Republican ideas. We should be thinking about them as American ideas. The question is, How do we as an institution, as the Senate, move forward in a new direction to get us to energy independence?

It is time that we write an additional chapter in the energy future of America that takes the building blocks of the Energy Policy Act of 2005 and moves forward with the great ideas that have been developed by so many Senators over the last year.

Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator has the floor.

Mr. SALAZAR. Mr. President, I see my colleague from New Jersey. Through the Chair, may I ask the Senator how long he will be?

Mr. LAUTENBERG. Mr. President, recognizing that our colleague from the other side is here, traditionally, we

switch sides on recognition. I ask that after our colleague from Wyoming speaks, that I have 20 minutes to make mine.

Mr. WYDEN. Mr. President, I ask unanimous consent that after Senator SALAZAR finishes his remarks, and Senators THOMAS and LAUTENBERG finish, I may speak as in morning business. I will revise that. I ask unanimous consent that after Senator SALAZAR is done and Senator THOMAS is done and Senator LAUTENBERG is done, that I may speak, unless another Republican comes to the floor, and that if another Republican comes to the floor, that I be allowed to speak after that in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I thank my colleagues. I think that order makes sense as we proceed with the discussion and debate.

I want to make a point about the contributions of my State of Colorado to oil and gas development for our country. We know natural gas prices are spiraling out of control, hurting families and farmers all across this country. Colorado farmers, for whom natural gas is an essential ingredient for their fertilizer, are already suffering under the weight of very high gas and diesel prices. Now they are also having to pay record prices for fertilizer. Needless to say, they are struggling to make ends meet.

Colorado is doing more than its fair share, much like Wyoming, to help our country produce more natural gas. There are currently some 29,000 producing natural gas wells in Colorado, and industry estimates project that between 24,000 and 27,000 new domestic gas wells will be developed every year to meet the growing natural gas demand in our country.

I am proud that Colorado is home to such a wealth of resources and that we can help our country through this energy crisis. But we have also paid a price for these contributions. We know the development must be done in an environmentally responsible way, but the rapid pace of exploration and development is having a huge impact on Colorado's land, water, and communities. The vast open spaces of the Rocky Mountain West are home to pump jacks, pipelines, roads, and compressor stations. Many communities are very concerned. Hunters and anglers are seeing habitat loss and wildlife depletion. Local communities are fighting to protect their watersheds from lease sales that could jeopardize the safety of their drinking water.

While I am proud that Colorado can help satisfy the Nation's energy needs, we should also be pursuing balanced production of our resources in the Gulf of Mexico. As much as possible, the country should share the benefits and burdens of our energy production, including the production and revenues from the Gulf of Mexico.

As I have said before, S. 3711 will make modest additions to our oil and gas supplies with additional leasing in the Gulf of Mexico. It is not, however, a perfect bill.

I deeply respect the concerns that Senator BINGAMAN and several other colleagues have made about the fiscal implications of this bill. The new areas being opened for leasing, they point out, come at a high price. These leases will be on Federal submerged lands on the Outer Continental Shelf, which belong to the taxpayers of all 50 States. Yet 37.5 percent of the revenues from those leases will be paid directly to only four Gulf Coast States—Texas, Alabama, Louisiana, and Mississippi.

I appreciated hearing Senator BINGAMAN's thoughtful presentation on the fiscal repercussions of this revenue distribution, and I applaud his work on the OCS issue, both in this debate and in the consideration of S. 2253, which was a bipartisan bill that emerged from the Energy Committee.

As I said, this bill is not perfect, but it does, for the first time, establish direct funding for the Land and Water Conservation Fund stateside grant program. It is truly historic that we are finally creating an honest to goodness conservation royalty for offshore leases. I appreciate Senator LAMAR ALEXANDER's work on this initiative.

In 1964, Congress passed the Land and Water Conservation Fund Act, which said that if we are going to drill for oil and gas in the OCS, we should be reinvesting a part of those revenues in parks, trails, and open space for the use and enjoyment of the American people.

President Kennedy's vision and Congress' vision was a bold one in the early 1960s. They authorized $450 million a year for the Land and Water Conservation Fund stateside grants program to be provided to States and local communities as matching grants, to help them build ball fields and trails, to help protect wildlife and open spaces across America.

Unfortunately, what was envisioned as a conservation royalty has been subject to the budgetary whims of Congress. This meant that the program has been consistently underfunded. Year after year, Congress has appropriated far too little money—an average of $94 million over the program's 42-year history. In the last 2 years, the President has proposed eliminating the program down to zero.

With this bill today, we finally create a permanent funding mechanism—a conservation royalty—that Congress envisioned in 1964. This is a new chapter in the history of the Land and Water Conservation Fund. It is the first step—only the first step—toward securing full and permanent funding for this overwhelmingly successful program.

As it is drafted, this bill does not provide the level of funding for LWCF stateside that the program needs.

I want to point to this chart, Mr. President, which indicates with the red bar on the left side that the authorization amount for the LWCF program stateside is $450 million. It averaged about $94 million. About 98 percent of the counties of America benefited from the grass from the stateside program. The amount of money projected to be supplied in the LWCF through this legislation is only $15 million a year. When you take that $15 million a year and divide it among the 50 States, every State would get approximately $300,000 per year on average. That is not a significant contribution relative to the historic amounts that have been made available to the States through the assistance of the stateside Land and Water Conservation Fund program. So it is important that, as we look at this issue and this legislation, we recognize that we should not be taking away the historic appropriations that have been made to the stateside Land and Water Conservation Fund. I am hopeful that we can ensure that those higher levels of funding for LWCF can, in fact, be made.

Mr. President, the prospect for LWCF stateside funding after 2017 is a little less clear. Because spending after 2017 is outside the budget window, it is not included in CBO's score of the bill. But based on available estimates of revenues and direct spending under the bill, it is likely that, beginning in 2017, stateside LWCF will receive at least $125 million per year. Indeed, it appears likely that beginning in 2018—12 years from now—stateside LWCF will receive additional funding from ''new receipts'' from the area 181 and 181 south.

Mr. President, Senator ALEXANDER and I introduced legislation, S. 3562, that would fully fund the stateside LWCF. I have prepared an amendment that echoes that. It would provide at least $125 million per year of funding for the stateside LWCF program beginning in 2007 and at least $450 million per year beginning in 2017. My amendment would direct revenues from the renegotiation of leases issued for the production of oil and gas from the OCS that provides royalty relief without the necessary price thresholds.

The Federal Treasury is owed billions of dollars for those leases. Those leases mistakenly have provided royalty relief without these price thresholds. My amendment, with its $125 million annually between 2007 and 2016 and up to $450 million per year beginning in 2017, would ensure that stateside LWCF will be adequately funded.

Mr. President, I wish we were having a larger debate on the energy policy for our country. I wish we were bringing some of the new ideas on energy legislation to the floor. I believe the American people deserve a great public debate on our energy future and they deserve a comprehensive forward-thinking energy policy. But for now, we must satisfy ourselves with what is at hand: a bill that includes modest increases in production in the Gulf of Mexico and, I am proud to say, a conservation royalty.

Mr. President, I ask unanimous consent that Senator PRYOR be the next Democrat to speak following Senator WYDEN, with the understanding that we will go back and forth to a Republican Senator in between them if a Republican Senator is here.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, we have had a long and important discussion about energy. Indeed, there is nothing more important to this country than to proceed with that. I am proud to say we have an energy policy that is quite broad. Of course, our challenge now is to implement that policy.

I rise today in support of S. 3711, the Gulf of Mexico Energy Security Act. I begin by saying that the economy is doing well; that we require greater supplies of energy is proof of that fact. There is more demand than there has been in the past because our economy is strong. This is not to say that Americans are not struggling with the costs of energy. Of course, they are. We are. The price of gas, the cost of heating and cooling their homes, the need for electricity provides for difficult problems. This is true in Wyoming, where we must drive long distances, and we have cold winter seasons. We know how to solve the problem. We need to increase our supplies.

The bill we are discussing today will provide 1.26 billion barrels, 5.8 trillion cubic feet of American oil and natural gas.

There are, of course, many other things we must pursue. I understand as well as anyone that we cannot drill our way out of the energy problems we face. We must support alternative fuels, renewable energy, clean coal plants, new nuclear capacity, and increased efficiencies.

Many of these efforts will take place over the longer term. Hydrogen cars, FutureGen, and the next generation of nuclear plants will take time. There are plenty of good ideas to look for in the future. It is important, however, that we be realistic about what we can and should do to provide for our needs in the meantime.

Many of my colleagues have their own energy proposals. I have introduced a bill that would reduce the cost of energy for Americans, and it would do so comprehensively by addressing production, refining, infrastructure mileage standards, and other conservation measures.

We need to pass the measure before us today, however. The bill we are debating is a delicately crafted compromise. Chairman DOMENICI is to be applauded for his hard work on the measure.

The bill we are debating today will increase domestic supplies of oil and gas. It will do so in a way that is sensitive to the environment. It will make us more secure and strengthen our economy, and that, of course, is the goal. It represents an agreement between the States that are most directly impacted by the gulf coast production.

The timing of this debate coincides with the release of second quarter financial statements. We heard this morning from the distinguished minority whip about energy company profits. I feel compelled to respond to the issue.

As I said before, there are many Members who have energy proposals. Some of them are bad ideas. Among the bad ideas is a windfall profits tax, and that is one of the worst. It does not work. I raise this because the idea or the notion of punishing companies is a knee-jerk reaction we deal with every time another fiscal quarter comes to an end. It should go away.

As we talk about the massive profits energy companies reap, we need to remember these are massive companies. It is inaccurate and misleading to look at the dollar amounts. A more accurate measure is to look at how the energy industry is doing relative to other sectors of the economy. Let's take a look at the second quarter of the last year as an example. In terms of cents earned per dollar sales, the average across the U.S. industry was 7.9 cents per dollar. Oil and natural gas earned 7.6 cents on the dollar, a reasonable return on investment. Insurance companies earned 10.7 cents on the dollar. Software companies earned 17 cents on the dollar. Pharmaceutical companies earned 18.6 cents on the dollar.

If we are going to talk about placing punitive taxes on successful businesses that bring so much prosperity to my State, that is fine. Please know that I will ensure the inclusion of Connecticut's insurance firms, California's software industry, and New Jersey's pharmaceutical companies in that discussion as well.

Energy companies are making massive investments. Drilling rigs, pipelines, refineries, exploration, and other business requirements are not cheap. They do profit from having made these investments, but it is not out of proportion to other industries that operate in our global economy. That is the truth.

Unfortunately, this sort of talk is not only part of our discussion that must be further clarified.

When we talk about reducing prices for consumers in the short to midterm, it is clear that increasing supplies is the effective way to do so.

It is troublesome that those who complain most loudly about energy costs are the same ones who stand in the way of responsible and effective measures to do something about it.

Wyoming has been doing its part in the national supply of energy for a good long time. We need other States to follow. If you are not part of the production solution, don't stand in the way of States that are.

It is in fashion to oppose new development, for some reason. People do so under the auspices of protecting the environment. We can produce energy with very minimal impacts. We do it every day in my home State of Wyoming. It would be possible in places such as ANWR, too, if a minority of Members would not stand in the way.

We talk about NIMBY, the ''not in my backyard'' mentality. Now we are going to be told that it can't happen in someone else's backyard. We should respect that in much the same way we are respecting the concerns of Florida in this bill, and we should respect the other Gulf States desiring to allow development off their coasts.

Yes, they stand to benefit from the revenues generated by new production under this bill. I understand this production happens as far away as 50 miles from their shores. These energy products have to make their way onshore at some point, however. That requires infrastructure and ship traffic to maintain the rigs. There are impacts associated with that. We ought to help States with those impacts if they are willing to produce energy for our country.

These States are host to a significant amount of offshore infrastructure as well. The 4,000 offshore platforms in the gulf are accompanied by dozens of refineries and countless production, transportation, and marketing facilities.

Personally, I would like to see the revenues from offshore production used to reduce the national debt. We must base these decisions on the realities that exist, however. We must recognize the burdens to be shouldered by the producing Gulf States. They provide nearly 30 percent of our oil and 20 percent of our natural gas. If we act in good faith toward them, I am hopeful other States will recognize the value and benefits of taking part in offshore production as well.

There are 19.3 billion barrels of oil and 83.5 trillion cubic feet of natural gas in the ocean that are completely off limits right now. This does not make sense. We need those resources.

But what we need more right now is a bill on which we can agree. We need something that can make a difference in the short term. This bill achieves that goal. It recognizes the value of increased production and strikes the necessary balance to make those activities a reality.

I look forward to the passage of this bill, to move it forward to have more production, to increase production and reduce the costs to American users.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, today we heard some interesting news. I would have used the term startling, but based on the news we are seeing from the various war fronts, it is hard to find anything more startling.

The reference I make to this news is brought about by a report. I come out of the corporate world, so I am interested in corporate performance in this

country. I saw the report. If you watch television or read the papers—ExxonMobil, I would say, had a pretty good year. Their profit for this quarter was $10.4 billion—for the quarter. That is up from $7.65 billion the same quarter last year.

That is pretty stunning news. It is the largest quarterly earnings of any corporation in America, save one. That is in the history of this country. In the history of this country, ExxonMobil, the quarter just ended in June, was the second highest in the history of the country.

If they were selling widgets or some product, we would say: OK, that is a pretty good job. But when they are selling a commodity that people are literally begging for by way of availability, it is a different picture.

This oil and gas is so much a part of our life that it is almost like the air we breathe or the water we drink. It is incredible.

That then spurred my curiosity. I am, going to file an amendment to the Energy bill. I send it to the desk.

The PRESIDING OFFICER (Mr. MARTINEZ). Is there objection to setting aside the pending amendment?

In my capacity as a Senator from the State of Florida, I object.

Mr. LAUTENBERG. I am sorry?

The PRESIDING OFFICER. In my capacity as a Senator from the State of Florida, I object.

Mr. LAUTENBERG. I am not offering the amendment, Mr. President. I am simply filing it.

The PRESIDING OFFICER. The Chair was not clear. The Senator may submit an amendment.

Mr. LAUTENBERG. I thank the Presiding Officer.

This amendment is to change the bill's title, to call it the ''Lee Raymond Oil Profitability Act.'' I propose that we rename the Energy bill to reflect Mr. Raymond's profitability courtesy of ExxonMobil.

It is quite a thing. As we look at the turmoil this country is going through while people struggle at minimum wage jobs and we see the kinds of profits that are being made off the backs of working people, it struck me, as I dug further into the history of the company—it is a pretty well-run company, but it is so profitable because Americans are going to the pump and buying gasoline at over $3 a gallon typically. I have seen it as high as $3.35 a gallon. People who work in these gas stations can't even afford to buy the gas they are pumping. That is how extraordinary this pricing is.

I come from the corporate world and I ran a very successful company. The company is called ADP. It has been in business 50 years. I started it with a couple of other fellows, and we watched our profits carefully. So I know how to read a financial statement.

When I see this, while people are stuck at minimum wage of $5.15 for 9 years—I am going to detail some of the extraordinary results Mr. Raymond got as a result of his leadership in that company. The profits, I think, are unconscionable. I don't understand where Board of Directors' conscience is, as I read his benefits program. There is no conscience, and there is no soul at all.

At the end of 2005, Mr. Lee Raymond retired from the chairmanship and CEO position of ExxonMobil. He was working and got a decent week's pay. I think his salary was running about $500,000 a week. That permits a lot of things to be acquired. But he also then held $151 million in stock options and holdings. His total compensation for 2005, including salaries, stock options, and pension, totaled $140 million. He made $140 million running a gasoline company where prices typically have gone, since January 2002, from $2.24—and any of the audience that sees this should mark it in their mind—it was $2.24 at the beginning of this calendar year; it is now $3. That is the average price. So it has risen some 36 percent I think is what the number works out to be.

It is incredible that during this period of time, while the average working person is struggling and things are getting harder and harder, the cost for gasoline, which is a requirement for virtually every family in this country—whether they have a car or are using fuel oil in their homes—it is outrageous that Mr. Raymond, in addition to those things I just mentioned, has seen his package of stock ownership and stock options go from $151 million in this period of time—$151 million he had at the end of 2005—to $250 million now, so it is a $100 million boost. Remember, he made $25 million in salary. But the absurdity of it all and the offensiveness of it all, is that Exxon's board also agreed to pick up Mr. Raymond's country club fees so he could make sure he could buy enough golf balls for a round of golf. Country club fees, use of the company aircraft, and still pay him another $1 million to stay on as a consultant for another year. Where is their conscience? I don't understand it.

So that is why my amendment would rename this bill the ''Lee R. Raymond Oil Profitability Act.'' That is what it ought to be called, so everybody knows what is happening in this country of ours. People are struggling for a living with a $5.15 minimum wage, which has been in place for 9 years. Those people are making $206 a week, if they are working at minimum wage, and they haven't had a raise in 9 years. That doesn't matter. Big business is the interest served by this Government and by the Bush administration. It is incredible.

When President Bush took over, gas was $1.06 a gallon. That was back at the end of 2000: $1.06. Now it is over $3 a gallon. Two years ago, President Bush threatened that if JOHN KERRY was elected President of the United States, he would tax gasoline. Look at this: From $2.24 up to $3, this year alone. There is no limit. But that doesn't bother the conscience of the board members of ExxonMobil, and it doesn't bother the conscience of Mr. Raymond. If he asks for country club dues to be paid on top of everything else, to have an airplane for his private use, he feels entitled to it. These are company expenses, and because they are company expenses, they are tax deductible. It is shameful, I think, and I hope we will do something about it.

I rise to speak against this so-called energy bill. The bill is simply another gift to the oil industry. It is dressed up as some kind of benefit to consumers. I know the media likes to talk about who is winning the debate on this issue or that issue. But you don't see these commentators saying: Let's look back at the effects of legislation after it is passed. So here we are considering a second Republican energy bill. We should ask: What was the effect of the first Republican energy bill? My colleagues across the aisle said of the first energy bill that it would lower gas prices as it goes into effect. Well, here is what we have seen happen in just this year alone: up by 36 percent.

A few months after President Bush signed the first Republican energy bill, gas prices started to soar. So now we know what happens when you take care of the oil companies: Tax breaks and subsidies, and everyday Americans get charged more, pay through the nose, as we say, and now we are ready for a repeat performance.

Will this bill help get gas prices over $4 a gallon? Think about that, for the average family. Spend 80 bucks to fill up your gas tank. Right now you have to spend over $60 to fill up a 20-gallon tank. We have to do a reality check about who is writing these bills. President Bush and Vice President CHENEY are both former oil company executives. They focus on helping their friends in the oil business. Big oil companies want to open up our coastline to oil drilling, to platforms, pipelines, and tankers.

Everyone jumps to attention in the Cabinet room there and they say: Yes, sir, as they do here on the Republican side of the aisle. And the oil companies' profits continue to explode.

Just this week, BP announced its largest quarterly profit in their history: $7.27 billion. BP is a piker compared to Exxon, which made over $10 billion. This was 30 percent more than the same period a year ago.

I remember hearing in the Commerce Committee when we asked about price gouging and so forth, and the oil company executives denied it: Oh, we don't price gouge, no. Well, somebody is making a heck of a lot of money while people who struggle for a living have to pay more than they can afford just to buy gasoline. Other big oil firms continue to enjoy record profits as well. Royal Dutch announced second quarter profits of $7.3 billion, almost $2 billion more than the same quarter a year ago. While Shell's profits increased 40 percent, its total revenue increased less

than 1 percent. So look what has happened. Their profits increased 40 percent, but their revenues increased less than 1 percent. I would like to hear an economist or an accountant explain how wonderful their management is, how good management must have been to pull that trick. In other words, sales were relatively constant, but profits jumped significantly.

Then there is our favorite, the poster company, ExxonMobil. In 2005 ExxonMobil raked in a record $36 billion in profits. That translates to almost $100 million a day in profit and more than $4 million every hour in profit for one oil company. And while all of these oil companies profit, consumers pay.

Now, as this Congress winds down its work for the year, the majority and the administration have proposed nothing that will lower gas prices at any time in the near future. They have nothing to offer in the way of a serious idea or a plan to reduce consumption, to improve efficiency, or to develop renewable sources of energy.

Whatever the question, the answer for this administration and the majority in this Congress is always the same: Hand over some more money to their friends in the oil industry, and give them more opportunities to drill and explore in environmentally sensitive areas. What do we get in return? Higher and higher gas prices. And now they want permission to drill in areas that are sensitive, areas where an oil spill could be disastrous. We had an oil spill in the Delaware River that separates Pennsylvania from New Jersey, and it didn't look too bad, but the cost to clean it up was $267 million. So there are a lot of risks with drilling in these areas. Higher prices aren't the only negative consequence of this bill.

The bill is going to harm our grandchildren's birthright to enjoy the natural beauty of our coastlines and beaches. I have seen the worst of oil spills. I was sent to Alaska with the Coast Guard 3 days after the *Exxon Valdez* ran aground. Exxon paid approximately $4 billion in compensatory damages and the punitive award was $5 billion, and that was in 1989. So we are looking at 17 years ago, and Exxon has yet to pay a dime on the punitive damages. The company has smart lawyers, and they have kept it bottled up in court. They say: Don't pay the bill, whatever you do. ExxonMobil makes $10.4 billion in a quarter, and the company is still trying to get out of paying the $5 billion that resulted from the court decision.

It is clear the plan is to pass this bill in the Senate, and then combine it with the House bill that opens up the coastal waters of New Jersey, Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, California, Oregon, and Washington State to oil and gas drilling.

The effects of even one spill off the shore of New Jersey would be devastating. Tourism, a principal business for us, is a $26 billion industry in New Jersey, and it supports 390,000 jobs. My State has already seen how much economic damage can result from threats to our shore. In 1988, a bag of medical waste washed up on the New Jersey shore. The incident was widely reported in the media and we lost a third of our tourism revenues that year—one-third of our tourism revenue.

We can be sure of one thing: If we drill for oil, we will spill oil, and New Jersey and other States cannot afford to have oil washing up on their shores or polluting their water. States that depend on beaches and marine recreation and clean water for fishing and other activities can't afford to have oil spills along those shores. Our commercial and recreational fishing industries in New Jersey are worth hundreds of millions of dollars. An economic catastrophe would result from an oil spill that reaches our shores, whether the drill rigs are located in the waters off New Jersey or Massachusetts or Virginia.

In short, it is absolutely certain that the current bill can only go from bad to worse. This bill is a Trojan horse and it should be rejected by any Senators who are concerned about protecting their coastlines and their coastal economies. It also should be rejected by Senators who care about developing a long-term, sustainable energy policy, and by any Senator who has a vision for our country which says we owe our children and our grandchildren a clean environment. We owe them relief from what we see now. I have not even discussed fossil fuels and global warming.

In the Netherlands last week, they reported the hottest temperature in June—this past June—ever since temperatures have been recorded: 1704, I believe, was the year. The hottest month ever since that time, since 1704. We see evidence of global warming all over the place. I don't hear anybody on the Republican side standing up here and saying: My gosh, we have to find a way to get these temperatures normalized. We have to find a way to reduce the number of hurricanes. We have to find a way to reduce the ferocity of these hurricanes. We don't want any more Hurricane Katrinas. But here we are, big oil companies are soaking the public with $3 per gallon for gasoline. It is not fair. We can do better than ''more of the same.'' I hope my colleagues will hear from their constituents back home and oppose this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, am I recognized?

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

(The remarks of Mr. BYRD are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, we are debating the Energy bill, the bill that would allow drilling in deep sea waters off the coast of the United States in the Gulf of Mexico. We have heard a lot of conversation about that. I don't want to repeat all of the arguments that have been made, but I want to put it in a perspective that I think might be useful to some who would be watching.

Of course, we have this debate against the backdrop of $3-a-gallon gas. Everyone gets excited about that, and they say it is caused by $75-a-barrel oil, and what can we do to bring down the price of oil? The law of supply and demand determines what the price might be.

There are those who think that is determined ultimately by oil costs, but that is not true. It is determined by the world market, and the United States is only one country that is drawing on the world market and asking for this oil to fuel our economy.

We must start with the understanding that the world runs on oil right now in a variety of ways and in a variety of places, which means that everyone in the world—whether they are in China or India, in Europe or the United States—needs oil.

Why oil? Why don't we have other kinds of energy? The answer is that historically oil has been the cheapest source of the energy we need. People said: Well, let's have wind, let's have solar. Wind and solar up until now have been unable to survive unless there is a serious government subsidy for it. As soon as the subsidy is withdrawn, all of a sudden we can't afford to generate energy from these other sources because it is cheaper to generate it from oil. So we have the infrastructure for oil built up, we have the infrastructure for gasoline for our transportation system built up, and it would take an enormous investment and a great deal of time to try to change it. So people need oil.

All right. There is plenty of oil in the world, and it is relatively cheap to produce in some parts of the world. But what is known as the lifting cost—that is, what it costs to lift a barrel of oil out of the ground and put it into that tanker—for Saudi Arabia is about $1.50. You can produce a barrel of oil at a cost of about $1.50 in Saudi Arabia. The lifting costs elsewhere are much higher than that.

If we come to my home State of Utah, where we have more oil than they have in Saudi Arabia, the lifting cost to get all of that oil is around $30 to $40 a barrel because the oil is locked up in rocks known as oil shale. That is why we don't produce oil from oil shale—not because it isn't there but because it can be produced more cheaply someplace else.

Since it is a world market, people put their oil on the world markets, and the world law of supply and demand determines what will be paid for it. The key number to keep your eye on to determine what the oil is going to cost is

the excess capacity that is available. Let me explain with some numbers.

Right now, the world as a whole is using about 85 million barrels of oil a day. The world capacity to produce oil is about 86 million barrels a day. These figures are not exact. They never are. They change from day to day. But let us use them as representative figures to illustrate the point.

All right. If you are in a position where you have to be sure you can get your oil for your future needs and you look at the world situation and say: You know, there is only a million barrels a day of excess capacity out there, and that million barrels a day could disappear with the snap of a finger—a problem in Iran, a decision by the oil minister in Saudi Arabia, another outburst—explosion, if you will—by the new President of Venezuela. A million barrels a day is not enough excess capacity to guarantee me that my oil will be there when I need it, so I will bid a higher price than I normally would pay just for the certainty that the oil will be there when I need it.

So the oil goes from $50 a barrel to $60 a barrel to $70 a barrel. We have seen it approaching $80 a barrel. Then when word comes out: Well, that excess capacity is a little more than a million barrels a day. Well, I may not want to bid quite so much for the oil. And the price will settle down a little. When there are indications that the supply of oil will be more secure in the future, the price starts to come down.

This is what we see in what is called the futures markets because people are buying oil for the future. They are making long-term contracts.

All right. The key ingredient in bringing the price of oil down is to make sure the surplus capacity above the amount of oil we use gets bigger and bigger. Right now, as I say, it is only about a million barrels per day. If it were 2 million barrels a day, if there were an additional source of oil, then the price would come down because you would have a bigger cushion to be sure you can get your oil in the future.

Look, there is overcapacity of 2 million a day. Back in the days when oil was available for $30 a barrel or $25 a barrel, the excess capacity was 5, 6 and 7 million barrels a day. People were comfortable making long-term contracts because they knew that excess capacity would make the oil available to them.

Just as a side note, in this body, we approved, along with the House of Representatives, back some 6 years ago authority to drill in Alaska. President Clinton vetoed that bill. It takes about 6 years for that kind of investment to bring oil on line. If the bill President Clinton vetoed had been signed, we would have an additional million barrels a day of oil on line in the world right now. That would virtually double the amount of excess capability that is currently available. But that was not done. We are where we are.

That is why this bill we are debating is so important—not just for the amount of oil that is there but for the amount of increased capacity it will deliver to the world markets when it comes on line. And then what happens? Then, by virtue of that amount of excess capacity above the amount the world is using, the futures price for oil will start to come down. That is the way the law of supply and demand works. Around here we have never been able to figure out a way to repeal the law of supply and demand. That particular law trumps virtually everything else we do.

That is one of the reasons I am supporting this bill, to say the time has come for the United States to have that impact on the world price of oil by virtue of our ability to produce that additional capacity.

But there is something else here as important as oil with respect to what is available to us in what we call area 181, and I am talking about natural gas. The same thing that I have to say about the impact of excess capacity on oil applies to natural gas. Natural gas is something more than just energy. This is why natural gas is doubly important. Yes, we use natural gas to heat our homes. We use natural gas to cook our meals. We use natural gas to generate electricity. Natural gas is the fossil fuel of choice. Everyone wants it. Everyone says it is clean, it is plentiful. Historically, it is cheap. Let's put in natural gas. When everyone wants it, that means the demand for it goes up, that means the supply gets tight.

We discovered a few years ago something about natural gas that is very obvious but that some people had not realized. Natural gas is the one form of energy we cannot import. Natural gas gets imported by pipeline. The only place we can bring in natural gas once we have tapped all of the natural gas available in the continental United States is by pipeline from Canada and Mexico. There is a lot of natural gas elsewhere in the world, but we cannot bring it to the United States because it comes in by pipeline.

Now, it can be liquefied. It can be put on a ship. It can come here as LNG, liquefied natural gas, but we don't have that many ports that can receive LNG. It is a very major financial investment to build the port, to equip the port to handle LNG, to build the tankers that can handle LNG. There are those who are doing that, but in the meantime the amount of natural gas available in the American economy is confined by the rising demand.

Natural gas, the petrochemicals in natural gas, are a critical element of the chemical industry. When the price of natural gas goes up, the price of all of our chemicals goes up. It is a critical element in the fertilizer industry. We are proud of our capacity to produce enough food to feed all of America and still make it a major export, but we cannot do it if the cost of fertilizer drives farmers off the land. And the cost of fertilizer is tied to the cost of natural gas.

When you realize that in area 181 there is not only enough oil to change the balance of the overcapacity that can bring down the futures market in oil, there is also enough natural gas to have a significant impact on the price of natural gas and help us with lower costs in the chemical industry, lower costs in agriculture, lower costs with fertilizer across the board, you realize that opening this area for exploration and drilling is something that should have been done a long time ago.

We know one of the main reasons why it was not. It has to do with State interests and State concerns about what will go on. This bill very cleverly and carefully crafts a series of royalty incentives to get the States on board.

With Senator MCCONNELL, I went down to Mississippi and then to New Orleans to see firsthand the devastation. In the presentation that Senator MCCONNELL and I received was an exposition of the damage out in the Gulf of Mexico to those lands that have acted as some kind of a barrier for future hurricanes. That area desperately needs to be rebuilt. It needs to be rebuilt for economic reasons, it needs to be rebuilt for environmental reasons. It is in serious trouble. The State can't afford to rebuild.

But with the revenues that are in this bill for the State of Louisiana, there is a possibility that they can start to rebuild and produce enormous benefits for all of their people and for all of the country. This becomes a source of revenue that can be dedicated to that particular ecological activity that is good environmentally and good economically.

So you put it all together, you have a bill that I think should pass unanimously. I know it won't. We never do anything unanimously around here unless it is completely noncontroversial, and something of this kind always has a little controversy connected to it. It probably comes as close to being the right bill at the right time in the right place as anything we have seen.

A year ago we passed a comprehensive energy bill that has us started down the road toward increased nuclear activity with respect to creating electric power. This bill, coming a year later, is a logical companion piece to the bill we passed a year ago because it starts us down the road toward alleviating the upward pressure, the constant upward pressure on the price of oil and the price of natural gas and doing it in a way that those States that have previously resisted this kind of economic activity now say we understand and we will participate in a beneficial way. That is why this bill is bipartisan. That is why it is supported by the Senators from the States most heavily hit by Katrina and the other hurricanes that occurred.

One of the things Katrina taught us that should give us further comfort as we debate this bill is that our technology for deepwater drilling is sufficiently stable that it can withstand a

hurricane of Katrina's force and not produce any kind of an oil spill, not produce any kind of an ecological difficulty.

It is interesting to recognize the greatest ecological damages from oil spills have come from tankers bringing oil across the ocean, rather than from oil platforms drilled in the ocean. If we want to reduce our dependence upon the oil being shipped in the most dangerous way in terms of the environment, we should pass this bill and proceed with this activity.

It comes as no surprise that I express my strong support for this bill for economic reasons, for environmental reasons, and for long-term planning reasons. It is, as I say, the right bill at the right time and in the right place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

(The remarks of Mr. WYDEN are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I have enjoyed hearing my distinguished friend from Oregon, who is always an effective and enthusiastic advocate. We worked together on many things, and I hope we will on many more things in the future.

I want to talk a little bit about the price of natural gas and how we can get it down. We have an opportunity to do that next week in the Senate. The Senate is considering the Gulf of Mexico Energy Security Act of 2006. It directs new oil and gas leasing in 8.3 million acres of the Gulf of Mexico. It directs the Department of the Interior to begin oil and gas leasing in designated parts of what we call lease sale 181—that is just the name of a geographic area—no later than 1 year after the bill becomes law, and directs leasing in 181 south, an area below the one just described, as soon as practical.

From the revenues that come from that, we will deal with those in the traditional way. First, there is a royalty, and 37.5 percent of the royalty will go to the affected States, which I assume includes Louisiana and Mississippi and Alabama, and perhaps the Presiding Officer's State of Texas. Then 12.5 percent will go to the State side of the Land and Water Conservation Fund under an arrangement that has been in the law for 40 years, to take some of the money we use from offshore drilling and use it for State parks, soccer fields, city parks. The money goes to the States.

We do a lot of things here in the Senate, and some may sound more relevant than others. But this is legislation next week that will affect blue-collar workers in America, it will affect homeowners, and it will affect farmers. It could affect the price of gasoline. The price of gasoline is set by the world marketplace, as the natural gas price is as well. But the major effect, I think, will be on the price of natural gas. Let me explain for a few minutes why I am talking about natural gas instead of gasoline.

If you stop and think about natural gas, one could easily argue that an extraordinarily high price for natural gas has more of an effect upon the lives of Americans than an extraordinarily high price of gasoline. A year ago, when the price of natural gas was about $15 a unit—to put that into comparison, that would be about the same thing as if gasoline were at $7 a gallon. That would be about the same thing. Now, imagine that. What if gasoline were $7 a gallon across the United States? We would have revolutions from Odessa, TX, to Mountain City, TN, and North and South, and in every direction. People would say: We can't stand that.

Well, we were having a very hard time a year ago with the natural gas prices at $15 a unit. Now, fortunately, they are back down to a little below $7 a unit. But this economy of ours, this United States of America, was built on a natural gas price of about $2. So it is three times as high as we were accustomed to it being.

And what difference does that make? Well, if we pass this legislation next week, we can reduce—or at least begin to stabilize—the price of natural gas, and that helps American workers. A lot of speeches are made here—and the Presiding Officer has heard as many as I have—saying no more outsourcing. Let's not send jobs overseas. Don't let them go to Germany, India, and China. Why don't we adopt policies that stop that?

Here is a good way to stop jobs from going overseas. There are 1 million jobs in the chemical industry in the United States today. These are good, high-paying jobs. Most of them are blue collar, but many are white collar. These are manufacturing jobs in the United States of America, millions of them. A place like Eastman Chemical in Kingsport, TN, is an example. Eastman Chemical, as far as we are concerned in Tennessee, has been there about as long as the Great Smoky Mountains. My uncle used to work there. In the Appalachian part of Tennessee, where income has never been high, for a long time Eastman has paid a good, high, steady wage to families. It has transformed the area. There are good schools, good roads, strong families, and good communities, with 10,000, 12,000, or 15,000 jobs right there in that area. People drive 50 to 80 miles to go to work. Some have been working there three and four generations. Eastman makes chemicals. Out of what? The major raw material for chemicals at Eastman is natural gas.

The president of Dow Chemical testified before the Energy Committee that natural gas, used as a raw material, accounts for 40 percent of Dow's costs. So if the price of natural gas goes from $2 to nearly $7, as it is today, or to $15, as it was last year, what do you suppose happens? If Eastman is going to expand, or if Dow or another company is going to build another plant, are they going to build it in the United States? No, those jobs will go overseas, and they have been. There are maybe 100 chemical plants being built around the world. Only one is being built in the United States, and the major reason is the high cost of the raw material, natural gas.

So there is the first reason the vote we are having on Monday afternoon at 5:30 makes a difference to the average American and to all Americans. Well, none of us are average. We are all individuals. We like our jobs. There are a lot of jobs at stake, and it is not just the chemical industry that is affected by the high cost of natural gas.

A year ago, the Tennessee Farm Bureau joined me in sponsoring a roundtable on natural gas prices when they were at $15. One of those who was at the roundtable was the president of Saturn. The General Motors Saturn plant came to Tennessee when I was Governor. It is an innovative plant, and we are proud that they chose Tennessee. At the roundtable, the president of Saturn said to me: We have done about all we can, in terms of efficiency, to deal with this incredible cost of natural gas in our automobile plant. After this, it is going to begin to affect the cost of our cars.

If the cost of auto parts suppliers and the cost of automobiles that are manufactured in the United States goes up, the jobs go overseas. If you can put an engine plant in Germany, or some other kind of supplier in Mexico, they will do that because of the high cost of natural gas. So it affects manufacturing.

The Tennessee Farm Bureau was helping me host that roundtable because the high cost of natural gas affects farming. Farming uses a lot of energy and uses a lot of fertilizer. The biggest raw material in fertilizer is usually natural gas. So the price of fertilizer doubles when the price of natural gas goes up like that.

The rising price of natural gas affects millions of Americans—workers, farmers, and also those who are heating and cooling homes with natural gas. What do you suppose the local gas company does after a while when the price of natural gas goes from $2 to $15? What do you think that will do to your local bill? It is going to go right through the roof. For retired families, for low-income families, the high price of natural gas hurts. So the vote we are having on Monday is about blue collar workers, about farm families, and it is about all the families who heat and cool with natural gas. That is the importance of natural gas prices.

Now, I see my friend from Arkansas here. I assure him that I am not going

to be too extensive in my remarks. I look forward to his. I have a few more things I would like to say.

The second point I want to make is that the bill we are dealing with Monday is part of a comprehensive plan. I have heard a few colleagues come here and say we cannot drill our way out of this big problem we have with oil. They are absolutely right about that. Everybody in this Senate knows that because we spent 10 years working on a comprehensive energy bill—the Energy Policy Act—which we enacted about a year ago after weeks and weeks of debate. It could have been called the ''Natural Gas Price Reduction Act.'' I am not going to stand here and say that bill is the reason the natural gas price has gone from $15 last summer to $7 today, but I hope it helped.

Market forces overrode all of that. But the Energy Policy Act surely put us on the right path, because to reduce the price of natural gas and to begin to stabilize the price of oil and make sure this big country of ours, which uses 25 percent of all of the energy in the world, has a steady supply of reliable, low-cost energy that is clean and as carbon-free as possible, we set this country on a different path by passing that comprehensive energy legislation a year ago, and we started with conservation.

We need to be more aggressive about conservation, and there may be a conservation bill that we ought to enact later this year or next year. We also aggressively moved to encourage nuclear power because nuclear power produces 20 percent of all of the electricity in America and 70 percent of the carbon-free electricity in America. That means it is our major weapon against global warming. If my friend and fellow Tennessean, Al Gore, were to do a sequel to ''Inconvenient Truth'' and call it ''Inconvenient Truth II,'' it would be about nuclear power. That is the solution to global warming.

So, first, we encouraged conservation. Then we began what is turning out to be a renaissance of interest in nuclear power.

Third, the Energy Policy Act included incentives for clean coal. We have a lot of coal. So if we make more electricity by nuclear power and more electricity by coal and we conserve to begin with, then there is less demand for electricity made from natural gas and the price goes down. Almost all of our new electric powerplants over the last 10 years were made by natural gas. That is like burning antiques in the fireplace to heat your home. That is a pretty dumb way to go about the business of producing electricity.

Let's conserve, build nuclear powerplants, encourage the use of clean coal, recapture the carbon, deal with global warming, reduce the price of natural gas, and that is not all. We also made it easier in the bill last year to import liquefied natural gas from overseas. That is a complicated process. We don't want to get into the same shape in natural gas that we are with oil, where we get most of it from overseas, but we can increase imports of LNG. Bringing it into terminals here and piping it into our system helps increase our supply, and that lowers the price and, apparently, that has begun to work.

Renewables help. There are some things we can do in that area. We can make ethanol from corn. We can make biodiesel from soybeans. I held a roundtable in Tennessee on biodiesel the other day. I even heard in a hearing that a factory is opening in Oak Ridge that will make ethanol from coal. We can make fuels from other sources, but we need a lot of fuel for cars and trucks, and we need a lot of fuel for electricity in this country that uses 25 percent of all of the energy in the world.

One thing we did not do last year was take any significant step to increase the supply of natural gas that comes from the United States. I think any logical person would say if you are going to take a comprehensive look at the high price of gasoline and the high price of natural gas and its affect upon Americans, you would want to include increasing the supply while we are transitioning to other forms of energy production. This is going to take us 5 or 10 years. In the meantime, we don't want to pay $7 for gasoline and $15 for natural gas. One way to do it is to increase our supply.

That is why we are voting on Monday on deep sea exploratory drilling in one of the most promising areas in the world for more natural gas. That is what we call Lease Sale 181. Someone said on the Senate floor there wasn't much gas down there. I heard the Senator from Louisiana say the following, and I believe this is true: It is enough to heat 6 million homes for 15 years.

It is six times the amount of the liquefied natural gas that we are importing today in the United States. That is a lot of gas. It is more oil than we import from Saudi Arabia, our principal supplier of overseas oil. It is more oil reserves than Wyoming and Oklahoma combined.

So in our great big economy, where we use 25 percent of all the energy in the world, it may only be a small part of our overall needs, but it is a lot when you think about heating 6 million homes for 15 years. And I suspect that if we move ahead aggressively to tap this new supply of natural gas and oil, it will help to stabilize the price of natural gas and might even move it down a little and help the blue collar worker, the farmer, and the homeowner.

Some say that energy independence is not a real goal. I don't agree with that. What I mean by energy independence is that the United States will not ever again be held hostage by some other country. It doesn't mean we won't buy oil from Mexico or natural gas from Canada. But we don't want to have to do that if we don't want to. So that is why, in the comprehensive Energy bill last year, we accelerated research for hydrogen fuel cell vehicles and gave incentives for hybrid cars. We want to reduce our dependence of oil overseas and transform our economy permanently. We don't want to drill our way out of the problem. We all know we can never do that.

Over the next 5 or 10 years, we'd better make sure we use the oil and natural gas we have available in this country if we want people to be able to drive their cars, work their farms, keep their jobs, and pay their bills. That is what we will be voting about Monday at 5:30.

We have been extremely careful with the environmental impact of this bill. I am very proud of Senator DOMENICI and others for what they have done on this issue. These rigs will be 125 miles away from Florida. You can only see about 20 miles out to sea. So that is a long way out. They are out of the way of airplanes and military craft. The technology we have means there is more natural leakage of oil from the sea floor than from all these rigs out there. So the environmental damage is minimal. Plus, we are going to take half the revenues from this drilling and use it for environmental purposes. I think that is great. Mr. President, 37½ percent goes for wetlands and other areas in the Gulf Coast heavily damaged by hurricanes, and 12½ percent is an outdoor recreation and conservation royalty. It is not a lot of money, but it begins to say that we are going to have an environmental benefit. It is a balanced formula that a majority of Senators can easily support.

Mr. President, this is a focused bill. This is a little left over work that we didn't get done last year when we passed a comprehensive piece of energy legislation that put that ''freight train'' energy policy moving slowly down the track in the right direction, toward large amounts of clean, low-cost, reliable, domestic-produced energy.

We had in that bill conservation, nuclear power, clean coal, and we made it easier to import natural gas. We had extensive support for renewables, but we didn't do anything about domestic supply. This finishes the job. So that is why this is a focused bill.

There are many other great ideas about energy, and whenever we subject ourselves to an energy debate, it will take us a long time because we have many good ideas and opinions. But from time to time, we need to take a focused idea about which there is emerging consensus and do it.

Two years ago, you could not even mention the idea of offshore drilling here. Last year, we had a majority of votes in the Senate for it, but we could not get to 60. This year, we got 86 votes on the motion to proceed, and we have a broad bipartisan consensus. I suspect in future years we will find other ways to permit, say, Virginia, for example, if it chooses, to permit drilling for oil and gas in certain areas offshore where

the rigs cannot be seen, and use some of those revenues from drilling to create a trust fund for education, use them to lower taxes, or use them to improve the coastlines of Virginia. I know if I were Governor of a coastal State, I would do that in a minute. I would rather not have an income tax, and I would rather have the best and biggest trust fund for my university system. That is exactly what Virginia could do, but we are not doing that here. We will address that when there is a consensus about it. There is a consensus about this.

As we move toward the end of the week and as people begin to think about what the Senate is doing that affects their lives, if you are a manufacturing worker in this country, we are going to affect your life at 5:30 on Monday afternoon. If you are homeowner paying your bill for 105-degree heat with natural gas, we are going to affect our life at 5:30 on Monday afternoon. If you are a farmer and have seen the price of fertilizer double, we are going to affect your life at 5:30 on Monday afternoon. We are going to vote for you if we vote for the energy security bill on Monday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I rise today in support of S. 3711. I found the comments of our colleague from Tennessee, the distinguished junior Senator from Tennessee, very interesting. Basically, he and I are on the same page on this issue; that is, I hope S. 3711 is part of a larger, smarter energy policy for this Nation.

There are really two sides of this equation, and then there are some complications in between. Basically, the two sides are supply and demand.

We have not done a lot on the supply side in the last few years, so I think it is important for us to look at drilling as an option. Certainly lease area 181 makes a lot of sense. We have infrastructure there. Generally speaking, we know how much oil and natural gas is in lease area 181. It is not a big stretch for people in those industries to get out there and find that oil and gas and get it to the marketplace. So traditional drilling in that sense makes a lot of sense, in my mind.

Also, I hope the Senate will continue to work on legislation to encourage alternative fuels, such as biofuels—I know the President in his State of the Union Address mentioned cellulosic fuel, and that is important—ethanol, agriculture products, animal waste, et cetera. That is just smart energy policy, and it creates a supply of energy. And that is very important.

On the other hand, we need to look at demand and we need to look at conservation. Certainly, this country can do much more with regard to conservation, with some industries and some aspect of our economy, and also efficiency. We need to become more efficient and smarter and use technology to try to get smarter on our energy usage.

I certainly concur with what the Senator from Tennessee talked about, supply and demand. We know under the current conditions gas prices will not go down by themselves. We are going to have to do some things in this country to help the oil markets get where the American public want them to be.

Also, S. 3711 on offshore drilling makes a lot of sense because it is narrowly focused and narrowly tailored. It is the right policy at the right time. Maybe one of the more controversial parts of this bill is revenue sharing. I am from an interior State. Under the circumstances as presented today, I don't have any objection to revenue sharing. I know Arkansas will not benefit as much as the States on the coast, but that is OK. We know the devastation the hurricanes caused in that region of the country, and we understand that one of our 50 States—Louisiana, in particular—has been dramatically impacted and maybe forever altered by Hurricane Katrina. Certainly Alabama and Mississippi have had their share of hardship.

When we look at New Orleans and look at that coastal area of Louisiana, we understand they are in dire straits. We understand this is a unique time in history, and we need to get the resources to the gulf coast to help right now rebuild the gulf coast but also help with future storms.

The other point I like about S. 3711 is that it recognizes that the cost of energy ripples throughout all of our economy. A few moments ago, we heard someone mention that with regard to farmers and fertilizer, about 90 percent of the cost of fertilizer is the cost of natural gas. If we look at the plastic that is in this pen, some of that cost is in the petroleum and natural gas that is required to make this product. All that eventually, ultimately, gets passed on through the economy. So when we see very high natural gas prices and very high oil prices, we know it is inflationary and we know the damage those high prices can do to our Nation's economy.

Arkansans—and I think all Americans—feel squeezed right now. If a family used heat in the wintertime, if they cooked with natural gas, they paid an average of $920 in natural gas last year. That is a lot of money. That is an increase of $178 just over the winter months I am talking about. That is a lot of money. Those are real dollars to people in my State and I know people around the country.

The price of natural gas, which supplies a quarter of the energy used by Americans, has more than doubled in the past year, and demand is going to continue to rise. Demand will rise about 40 percent over the next 20 years. This is significant. This dynamic is something which we as policymakers need to be aware of and we need to work with that reality.

About a quarter of all natural gas is used to produce electricity. The rest is to manufacture plastics, cars, computers, medical equipment, and all sorts of products, even bottled water. Those bottles are made with natural gas.

This week, the price of natural gas was $6.15 per million Btu. We think about that and we may not have anything to compare it to, but let me tell you, Mr. President, in countries that we compete with for jobs, that we compete with for manufacturing, places such as Russia, natural gas is $1.25 per million Btu's. It is $6.15 here to $1.25 there. Look at the comparisons around the world. For whatever reason, we are paying more for natural gas, and it is putting the U.S. economy at a disadvantage.

We see transportation costs have doubled. We know how important trucking and other transportation is in this country. That is overall in the economy. But when we look at transportation costs for a family, the average household with children will spend about $3,815 on fuel this year. That is a lot of money. There again, that is going to increase by about 100 percent as compared to 5 or 6 years ago. The people in my State and the people around the country certainly are feeling the squeeze. If you book an airline ticket today, it is probably going to be 11 percent higher, and a big piece of that is the cost of jet fuel.

One of the last couple of points I wish to mention about this legislation is that it is a compromise. It is a compromise in maybe the best sense of the word. We have a lot of competing interests, a lot of good ideas that have come into this discussion. Many of those ideas were included either in whole or in part in this legislation.

This bill will open 8.3 million acres in the Gulf of Mexico, and it lifts production bans in lease area 181. Again, I think that is the right policy at the right time. At the same time, it bans drilling within 125 miles, and that is good until 2022. Again, I think that makes sense. Congress is trying to be very sensitive to various States' needs, trying to respect those needs and those desires. We are attempting to do that, and I think we are accomplishing that in this bill.

Back to natural gas, lease area 181 in this bill will add about 5.83 trillion cubic feet, and that is a lot of natural gas. Right now, we use about 23 trillion cubic feet a year. So this is a significant help over time. It will take a couple, 3 years before that actually hits the market, but it will help. Also, it will produce about 1.26 billion barrels of oil.

The last point I would make is that this is a narrowly tailored bill. But there is one person who I think has shown complete tenacity in trying to get us to where we are today, where we will be Monday, and that is Senator LANDRIEU of Louisiana. She has been amazing. Of course, her State has been forever altered by Hurricane Katrina. Certainly, we join her in saying we

want Louisiana to come back stronger than ever. New Orleans is one of the great American cities, it is one of the cultural centers of this country, and we want it to come back stronger than ever.

Sometimes we forget how important that New Orleans area is to the entire country. It is one of the largest ports in the United States, and the fact that it is sitting right at the mouth of the Mississippi is critically important to the entire midsection of the country. If you live west of the Appalachians or east of the Rockies, you are impacted by what happens in New Orleans because that whole system, that entire Mississippi River basin or watershed, all the rainwater, all the floods—everything—eventually goes down the Mississippi. If the Mississippi is not functioning correctly down near New Orleans, it has a very adverse impact on flood control, on agriculture, on industry, on hydroelectric power, and on any number of things up and down this entire watershed, which is the largest watershed in North America.

I thank Senator LANDRIEU for her tenacity, for the example she set for all of us in fighting for her State and fighting for her country in a time when we need her leadership. She has shown that time and time again. I bet every Member of this body at some point or another has spoken with Senator MARY LANDRIEU about how important it is to rebuild the gulf coast area and Louisiana specifically. She has done a fantastic job. Even if I disagreed with this policy, which I don't, out of respect for her and the great work she has done, I would support her legislation because I know how important it is to her.

The bottom line is, Louisiana is one of the 50 States. It is a sister State. We came to the aid of New York after 9/11, and we should have. We have come to the aid of many States in specific regions after disasters and catastrophe, and we should. That is part of being one Nation, one people, E pluribus unum. It is time for us to come to the aid of Louisiana. It is a long-term proposition. Louisiana does not have an easy solution where we throw a few dollars at it and it is done. There are major infrastructure investments we have to make there. We also have to make them along the rest of the coastline in Mississippi and Alabama.

So I think this is an important first step. As I said, I hope that S. 3711 is part of a larger and smarter U.S. energy policy. I hope next year we will come back and revisit some of these very good ideas the Senators have talked about this week and in the previous months when we have been looking at this lease area 181 bill, because there are a lot of good ideas out there. I know Senator WARNER and I have one that would open the entire OCS, and it is something we would love to have included here, but we understand we may have to wait until another time. But there are a lot of good ideas out there, and I think it is time for us to think long term and think about energy policy that makes sense for everybody.

Mr. ROBERTS. Mr. President, I rise today in support of S. 3711, the Gulf of Mexico Energy Security Act.

S. 3711 takes a much needed and long overdue step forward in our Nation's energy policy. For too long we have looked to others to supply our growing demand for energy. Too many of our energy resources are imported from unfriendly and unstable places in the world like Nigeria and Venezuela. We can no longer afford to rely upon the Hugo Chavezes of the world to fill up our gas tanks, heat our homes, or provide fertilizer to grow our crops.

Today we have the opportunity to look in our own back yard for the resources necessary to sustain our economy's growth.

S. 3711 opens roughly 8.3 million acres to oil and gas exploration. An area with roughly 5.8 trillion cubic feet of natural gas and 1.26 billion barrels of oil. One sector of our economy in desperate need of increased oil and gas production in the Gulf of Mexico is agriculture.

Mr. President, farm country is struggling to find our next generation of farmers. Agriculture's future depends on motivating young people to enter into a business with increasing input costs and stagnant product prices. Without a revitalized wave of young producers, our Nation's food suppliers will continue to face an uphill battle. Alleviating high natural gas prices is one way to help current producers and entice young farmers to return to the fields.

Agriculture depends on significant amounts of natural gas for irrigation, food processing, crop drying, heating homes and farm buildings, and producing fertilizers which are necessary for plant growth.

For agriculture, natural gas is not just an energy source, but it is also a feedstock in the production of nitrogen fertilizer. Natural gas accounts for roughly 90 percent of the cost to produce one ton of nitrogen fertilizer.

In 2005, natural gas prices rose to $15.00 per million BTU's. In the past 6 years, the U.S. has gone from spending $50 billion per year on natural gas to $200 billion per year. These high prices have hit the nitrogen fertilizer industry hard. Since 1999, 17 ammonia plants permanently closed due to the high cost of natural gas. The result is a fertilizer industry that recently received 85 percent of its feedstock from domestic sources to one that now relies on foreign imports to supply 50 percent of their natural gas needs.

Much attention in Congress has turned to alternative sources of energy to meet our demand. Ethanol used to be a word spoken only in farm country. Now ethanol is part of the daily jargon on the streets of New York and Los Angeles.

What some folks may not understand about ethanol produced primarily from corn is that farmers in many parts of the country use nitrogen fertilizer and irrigation systems to grow corn—two inputs heavily influenced by the price of natural gas.

You see, Mr. President, if we do not increase the amount of domestically produced natural gas, our renewable fuels industry will grow more and more dependant on imports from volatile parts of the world.

Now is the time to change our attitude about our energy supply. Domestic, environmentally safe production can and should take place on American soil and off our shores. S. 3711 moves our Nation's energy policy in the right direction. One that leads to greater energy independence and price stability. I encourage my colleagues to support our agricultural industry and vote for S. 3711.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAFEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I would like to speak on the energy production bill that is on the floor. Is that appropriate at this time?

The PRESIDING OFFICER. The Senator is recognized.

Mr. SESSIONS. Mr. President, I am a resident of Mobile, AL, on the gulf coast. We drive down to the beaches periodically. What I would like to convey to my colleagues is that Alabama, Mississippi, and Louisiana have always allowed production of oil and gas offshore. We even allow production very close inshore. The beautiful Mobile Bay, a fragile estuary, has a number of very large oil rigs in those estuaries that have produced very large amounts of oil and gas. We have never had a problem of any serious nature of an environmental negative impact.

As we begin to discuss this subject, we need to ask ourselves, what is the opposition to drilling in an expanded area of the deep Gulf of Mexico, 125 miles or so south of Alabama and Florida, and 200 miles west of Florida's western beaches of Tampa? What is the opposition to it? I ask that question.

Is it a sincere environmental objection or is it just a persistent opposition to the utilization of oil and gas that many people have in America today? Is it some sort of hostility to oil companies? Is that what is making people have a hesitation?

I would like to discuss those areas a little bit.

Let's talk about the environment. We have at this time 4,000 producing wells in the Gulf of Mexico—4,000. We have had one of the most devastating hurricanes ever to hit in Katrina last year. We had several other hurricanes that had very high winds—not quite as big, but their winds at times were nearly as

strong as Hurricane Katrina's—that came through the gulf.

Official reports have indicated that 3,000 of those 4,000 wells that are existing now in the Gulf of Mexico were in the direct path of one of those hurricanes last year, and we had not a single spill of any sizable amount. Several of the platforms, large as they are, were damaged. But they have, in ways that I am not able to fully explain, shut-in valves down under the water, at the ground, and it shuts off the oil from the well, and no matter what happens to the rig there is no spill of oil.

In fact, only about 2 percent of the oil in our waters around the U.S. come from oil production, or maybe less. But 63 percent comes from natural seepage. Most of it comes from runoff from storm sewers and things on the land. All that is really very small. It is not a huge impact in any way.

I would just say to my colleagues, when you go fishing in the Gulf of Mexico, as I like to do when I can, which isn't often, you tend to fish around these rigs. Just over Memorial Day weekend I was out with my brother-in-law and nephew. We went fishing around the oil rigs and had a little luck. That is where people fish. It provides a structure that allows growth of foods, sources that feed smaller fish, and larger fish feed around them, and that is where people fish. Nobody worries about that or expects any kind of problem with it. They have been there for decades now.

So the environmental question is not a real one, in my view. It has, to a degree, been settled more than we can imagine.

But I would say this: The same people who may be worried about drilling in the gulf don't seem to be very worried about drilling in the lake at Venezuela, or the Persian Gulf, or the Caspian Sea. These are smaller bodies of water, self-contained, in which a spill would be even more dangerous. That is where we are getting much of our oil and gas today, from those areas of the globe. Many of those areas that we produce oil and gas are far more subject to being damaged, perhaps, than if we had a spill in the vast Gulf of Mexico.

Then there is this argument: We don't like the oil companies. You are trying to help the big oil companies.

I want to dispute that and dispute that unequivocally. My goal is to serve my constituents. How do I serve my constituents? I help them receive the necessary, critical oil and gas that they need to carry on with their lives at as low a price as possible.

I don't think it healthy or justifiable to say to my constituents in Alabama: We are not going to let you produce oil and gas off the coast of Alabama, Mississippi, Texas, Florida.

We are not going to let you get any gas and oil from there. We are going to require you to buy it from Hugo Chavez in Venezuela. We are going to require you to buy it on the markets of the world where it may have come from Iran, and certainly Saudi Arabia, or Iraq, or other countries. Some of those haven't been friendly to us. They charge whatever they can charge. A couple of years ago, it was $35 a barrel and now it is $70-plus a barrel.

What kind of sense is that? If some big oil company has a long-term contract with one of those foreign countries to buy oil at $35 a barrel that was signed 2 years ago, why would they want production in the gulf? In fact, they may not.

I don't see the oil companies demanding increased drilling in the gulf. This is coming from people who can add dollars and cents, people such as this Senator who travels the State, talks to our constituents, listens to what their concerns are, goes to church, and goes out on the street shopping, and people come up to you and they talk about the high cost of gasoline. That is what they are talking to me about. I look them in the eye, and I say I am going to do what I can to make these prices lower.

We tried putting in a law that sets prices, and that was a total failure. You can't fix prices by statute. It is a marketplace out there. And what do you do to make the marketplace work on your side? You increase production. Frankly, it doesn't require a huge increase in production to make a big price adjustment.

If the world demand is here but the supply is a little more than demand, surpluses build up, and all of a sudden the prices start falling. People have oil in their tanks. They cannot sell. So they cut their price to sell more. Somebody else has to cut the price, and it drops down. If you have a world supply here and demand is a little above the supply, and the world is out here and can't meet it, people have shortages, and they have to bid the price up to get more. Then you have a problem. Even small amounts can make a big difference in prices. That is all I am trying to say to my colleagues.

I emphasize again that the reason to produce within the Gulf of Mexico, as I believe ANWR and several other areas of this country, is because that money stays at home. It doesn't go to Hugo Chavez or others. It helps generate our economy. It creates jobs in our economy. People who make money pay taxes to our Government, not to some foreign government. The pipes and that kind of thing work. And the transportation costs are less because it is much closer.

These are factors which are relevant to any policymaker in our Nation.

We have artificially denied our Nation the right to produce this oil and gas that is right off our shore for far too long. It is time for that to end and to go forward with this production which will help our economy, help create jobs, help contain and actually reduce whatever the price of oil and gas may be in the future. It will be less cost to produce in the gulf than it would be otherwise. I have no doubt.

I see the distinguished majority leader. I will be pleased to yield to him, and at this point I thank him for his understanding of this critical issue. He has been steadfast and clear about it ever since I have been in the Senate, 10 years. And now we are at a point where we might get something done this time.

I thank him for his leadership, and I am pleased that both Senators from Florida are supporting the bill, so we have some cause for optimism.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, while my distinguished colleague from Alabama is on the floor, I thank him for his leadership on this particular issue because it gives us that opportunity to act with meaningful solutions to problems everyone is feeling. So many things that we do here are issues that seem so macro, so big. I am sure when people are watching C–SPAN or television or they even read about what we do, they wonder, are those people up in Washington doing anything to address the issues that affect me, the squeeze that I feel, the cost of living that we know has to be addressed?

Then you say, What are those things? Where is that squeeze coming from, despite the record low unemployment rate of 4.6 or 4.7 percent and the creation of 5 million jobs?

It comes back again and again—those energy costs, filling up that gasoline tank, getting ready to go on vacation, or altering your vacation, or paying that heating bill, or this time of year that air conditioning bill. And it comes back to energy.

Now we are acting and we are acting in a way that in the past has been stopped—and that is by looking right here at home at the good old American homegrown supply.

Everybody knows that ultimately in the market-based system there is supply and demand. Now we are addressing supply directly, as my colleague mentioned, in a way that is very protective of our environment, of our coastlines, that is environmentally sensitive but in a way that we know will open as much as a million or more barrels.

I thank my colleague for his leadership and also for his explanation so people fully understand the impact of that legislation which is now on the floor.

There is a lot going on. I want to make a couple of comments because there are some things going on right now. The House of Representatives will probably be out tomorrow. We will be in session tomorrow. We are working on a whole range of issues in conference and in our discussions as we look ahead for the next week that we will be here, and then the 4 weeks in September when we come back. I am very hopeful that the House will pass the pensions conference report and sometime here in the next 24 hours. I know our colleagues from the Senate

who are on the conference are working very hard to get the House Members to move ahead on the issue that we know is very important to the American people. Individual retirement security. Again, it goes back to this cost of living and the squeeze that people feel. That is what this pensions bill is all about.

Other issues that are being addressed are so-called tax extenders because we have to act now every year. We would like to make these tax cuts permanent, but we have to act every year and extend them for 1 year or 2 years.

What is also interesting in terms of message is the great impact that tax cuts put forward by this body under the leadership of President Bush have had—a huge impact on individuals and families.

One of interesting things that I find when you say we are going to make the tax cuts permanent and extend them for 3 or 4 years, people do not understand fully what that means and how it affects them as individuals. But 3½ years from now for a family of four making a median income of $62,000 or $63,000, what percentage of this Federal tax will go up if we don't act to make these tax cuts permanent? Usually, when I ask a crowd of people if the Bush tax cuts are not made permanent, if the Senate doesn't act for whatever reason, or it is obstructed from acting, they say, Maybe my taxes will go up 10 percent or 20 percent, or 30 percent. Not many people say 30 percent. But the fact is, if we don't act in this Senate to make those tax cuts permanent, for a family of four, their Federal taxes will go up, 3½ years from now, 58 percent. And now people say: I see the importance of what you are doing in Washington, DC, why you are following President Bush in terms of his tremendous leadership in cutting taxes, keeping taxes low, and working hard to make those tax cuts permanent. Then it comes together.

We are looking at a tax extender package, and we are also looking at what my colleagues feel strongly about—a permanent solution to the death tax.

First of all, the death tax does not make sense. It is not fair. It discourages savings and discourages thrift. Therefore, we need to have a permanent solution. I say bury it forever, but the will of the Senate is not to bury it forever and eliminate it totally. Therefore, we are working with what is a very reasonable compromise position. So there is a lot of discussion on that underway.

What we have is crazy. We have a death tax. It used to be high and is coming down. In 2010 it disappears, and in 2011 it goes back up to 55 percent. Talk about things that do not make sense, that does not make sense. We need to fix that. I hope we can do that in the next 6 to 8 weeks.

One last thing I comment on because there has been huge progress today in the House of Representatives which allows us to move forward on an issue that will affect just about everyone listening to me now, an issue we have acted on with meaningful solutions to a real problem, is health information technology. The House today passed a health information technology bill. We have passed one in the past. Now we can marry those two in conference. And we will save lives.

Medicines cure, but medicines can also kill. Last week, the National Academy Institute of Medicine, which we all respect, we all look to, which looks at things very objectively—the committees they put together are experienced, have broad expertise, and take current issues that are challenging and address them in an environment that is very constructive. They released the most extensive report ever done on drug or medication, medicine errors, mistakes that are made, whether they are inadvertent or mistakes just made. The report is fascinating.

Why do I say it affects everyone? Right now, four out of five American adults today—so in all likelihood, everyone listening to me—take one medicine, at least one medicine over the counter or a prescription. One out of three adults listening to me now take five medicines. That is amazing. Being a physician, it wasn't true 10 years ago, it wasn't true 20 years ago. When my dad began to practice medicine 70 years ago, no one would believe the power we have in medicines today—the power to cure but, if misused or mishandled, the power to kill.

This report just came out last week, and it is fascinating. The report addresses lots of things. I will come back and cite some of them. I will look at findings. How these medicines are administered, if not done correctly, with real care, can result in serious injury, hurt the patient, can cause death—all related to how they are administered, the dosage they are administered in.

Before coming to the Senate, I spent 18 years in hospitals, always 5 days a week and 95 percent of the time 6 days a week, working in hospitals, taking care of people. There you see it all. You see doctors inadvertently writing prescriptions for drugs that interact and are not compatible with certain drugs. Maybe they didn't know the patient was on that particular drug or they just didn't know there would be an interaction of the two drugs, and it hurts the patients. Nurses or health care providers mistakenly put the wrong medication in the IV bag, the intravenous bag that runs into your hand, or administer the wrong blood type. A pharmacist might dispense a 100-milligram pill instead of a 50-milligram pill. These errors are wasteful, obviously, but can also be harmful and can be deadly.

The Institutes of Medicine found that at least 1.5 million Americans are sickened, injured, or killed each year by errors in either processing, dispensing, or taking medications. These errors are widespread. The IOM report found on average a hospital patient is subjected to one medication error every day they are in the hospital. That is pretty amazing. A hospital patient is subjected to one medication error each day he or she occupies a hospital bed.

That is costly. Not only does it occur, and it occurs frequently, it costs a lot. The IOM report estimates the extra expense of treating drug-related injuries in hospitals alone is $3.5 billion a year.

The report—again, it just came out last week—is the most comprehensive report today. It sends a very clear signal; that is, we need to act.

The good news is that we have acted with a first step in this Senate, and as I mentioned earlier the House acted today, which means together we can produce a bill, and have the President sign it, which will make a difference.

The IOM report offered several recommendations to prevent these errors. In many ways, the recommendations they put forward reinforce my vision or a vision I believe is very important as to where we need to be in health care in the future. We have to start today in that direction. That is what the recommendations do.

That vision is really pretty simple. It is a vision of a health care system that is not centered on HMOs, bureaucrats, Washington, or hospitals or clinics. It is centered on the patient. The patient is in the middle of the system.

In this system also is the importance of having the driving force of the consumer. You have the patient, and it is driven by decisions being made by consumers all over the country.

The third component is that it needs to be provider friendly. You need physicians participating, nurse practitioners participating, nurses and other health care providers, technicians, the people who draw the blood, and the lab technicians all participating in a way that there is a comfortable exchange of both information services as well as trust. So it is a patient-centered, consumer-driven, provider-friendly system.

Now, the engine to that system has got to be value, has got to be outcome, has got to be results. When I say ''value,'' I really mean almost in simple terms of the product, the outcome, in terms of value, divided by how many dollars you put in. So you want as much health produced per dollar injected into the system. That has to be the engine of this system, and it has to be fueled by three things.

That is where the exciting part comes in. That is where this health information technology plays such an important role. It has to be driven by information, 21st-century information that simply was not around the last century. It really was not around when I was doing heart transplants every week 10 years ago, 12 years ago. You just didn't have that sort of information generated. It was the knowledge revolution, the explosion of information, computers, the Internet. That knowledge is out there today.

The second fuel has to be choice. You have to have people out there making prudent decisions for themselves each and every day. Obviously, that is very consistent with my principles as a Republican in terms of maximizing choice. The 21st-century information, with empowerment of the consumer by choice, and third, some element of control.

The control really comes in if people have to have resources to make those decisions or, if not, need to be assisted. You have to have a strong safety net for a patient-centered, consumer-driven, provider-friendly system based on values, driven by information and choice and technology. You have to have a seamless flow of information which is privacy-protected and which is secure.

No single piece of legislation incorporates all of that, and no single piece of legislation incorporates all the IOM recommendations. But there are things we can do to move in the direction toward that vision.

I have sponsored bills in this Senate and urged industry-wide changes that made considerable progress that caused us to move toward achieving that.

Last summer, on this floor, I publicly called on the pharmaceutical companies to implement a voluntary 2-year restriction on direct-to-consumer advertising for newly released drugs. What is direct-to-consumer advertising? It is what you see on television each night or over the course of today in terms of the drug ads, in magazines. It is the full-blown pictures you see every day—newspaper ads—where the advertising is directly to the consumer, to the individual, to the patient.

What I called upon the pharmaceutical companies to do is to review their procedures and on a voluntary basis give a 2-year restriction on direct-to-consumer advertising for lots of reasons. I will come back do that.

I also publicly asked the GAO, the Government Accountability Office, to analyze the Food and Drug Administration oversight of such advertising. Are we doing enough to make sure that information which comes out to the consumer is filtered appropriately, to make sure it is accurate, that it is honest, that it shows the pluses but also shows the dangers and the weaknesses as well?

Spending on direct-to-consumer advertising and prescription drugs was steady over the years. In recent years, it has skyrocketed. Why? Because you put advertisements out there and people buy the drugs. The problem is, and the reason I brought it up in the Senate and made this public call, this advertising can lead to inappropriate use of drugs using too many of these drugs, using them for the wrong indications, overuse and underuse of the drugs. It could be an underselling of the risks that are actually in a drug. You see all the good things and the beautiful pictures and people running through fields, but at the same time you really do not see the dangers, the side effects that could be harmful, that could compromise your safety, the patient's safety and care.

The good news, based on that call, at least in part, is the pharmaceutical industry responded and I would say responded fairly aggressively. They soon after issued a set of guidelines for prescription drug advertising on newly released drugs. They got together and talked about the importance of their responsibility in this direct-to-consumer advertising, the fact that it is not just to improve their bottom line but it is health care, it is patient-centered, that you have to have the strengths but you have to give weaknesses of these drugs when you put them forward. So I applaud them. And that response is making a difference. That is one example. That is sort of a first step in guaranteeing patient safety and care.

I mentioned the GAO report. It has not come back yet. I look forward to receiving their findings, their results on the FDA's oversight, to come soon.

Other progress: Last summer, we passed the Patient Safety and Quality Improvement Act. It became law July 29, exactly a year ago, 2005. It also contributed to this patient-centered system which is consumer driven. It helps improve the quality and gets rid of the waste. When I say value, that is results, as I said, per dollar of input. You want to maximize that. So you want to get rid of the waste. You want to get rid of the abuse. You want to get rid of inefficiency. And we did a lot in that regard.

What this Patient Safety and Quality Improvement Act did was to help both improve quality and weed out waste by minimizing the fear of litigation. Now, why does that matter? It really comes down to—and I oversimplified it a little bit, but if you are a physician or you are a nurse and you are in a hospital and you make a mistake, and you feel bad about it, you should be able to share that information with other people so they can learn from your mistakes.

Quality improvement: We see it in airlines. We see it in general aviation. But we do not see it in health care—or we didn't before passing this particular bill. What we have been able to do in that particular bill is basically ease—without fear of a lawsuit coming after you. The reason it is not shared is because you know some greedy, predatory trial lawyer is out there and saying: Oh, there is a mistake. Let's go after them. What it does is put a barrier up there so no longer does that individual practitioner, doctor, or nurse have to have the fear of sharing information of an inadvertent mistake so others can learn.

The IOM report's most striking finding was that many providers do fail to report these medication errors that ultimately don't result in an injury. They fear these lawsuits. But without reporting this information, clearly, we cannot learn from our mistakes. That is what the Patient Safety and Quality Improvement Act addressed.

That brings me, finally, to information technology. The Senate passed a health information technology bill. It was bipartisan. I thank Senators KENNEDY and ENZI and CLINTON, all of whom worked with me and all of our colleagues in producing this bill—a bill called the Wired for Health Care Quality Act. What it does is it promotes the use of electronic medical records. It jump-starts America's transition to this 21st century system based on choice and based on value and based on outcomes by having a seamless network that is fully interoperable in terms of the transmission of health information, so doctor can communicate with hospital, can communicate with pharmacy, can communicate with patient in a seamless way, where records can be stored electronically. They can be transmitted electronically. If you are in Nashville, TN, and you live in Princeton, NJ, and you have an automobile accident as you are on I–41 through Nashville and you are taken to Vanderbilt Hospital, they can push a button, and in a secure, privacy-protected way, your record instantaneously shows up at the Vanderbilt emergency room and they can see what allergies you have, what medicines you have, whether you had previous heart disease, whether you can tolerate anesthesia—instantaneously; otherwise, they would have to repeat all those tests. They might not even be able to get that information.

That is the power. What it does is it builds a platform for the interoperable transfer of information—interoperability standards—that has the ability to transform the practice of medicine. That is how big these bills potentially are.

Doctors write about 2 billion prescriptions each year. We still write them, for the most part, by hand. And that spelling, what you look at, unfortunately, is misinterpreted. And as the IOM report documents, a lot of errors are still being made in that transmission of reading what a doctor had written at the pharmacy or at wherever the hospital might be distributing those drugs and then delivering it to the nurse and having the nurse give it to the patient. You get rid of all that—not all of it but most of it—by having that seamless flow of electronic information.

I think back to transplantation. I would have a patient. I would transplant the heart in Nashville and take care of them and have them on a drug called cyclosporine. And they would go back home, maybe 2 or 3 hours away, where another doctor would take care of them. If they got a cold, the local family doctor might put them on erythromycin, not knowing—because transplants were so new at the time—that if you put somebody on cyclosporine on erythromycin, their liver would fail. But it happened. They

may not know that cyclosporine was there. Well, with the electronic transfer of information, that physician would know that patient is on cyclosporine, and it would be instantaneous and immediate. If he wanted to put a patient on erythromycin and tried to prescribe it, a red flag would come up and say: No, you can't do that because the patient is on cyclosporine.

All this makes so much sense. Medical records today are stuck in the stone age. But every other sector of our economy has information presented in what is the information age. It is now time to bring medicine—it is amazing that medicine is still stuck in the stone age—into this information age.

I will close on all this, but, as you can see, I am very excited about it. This particular bill which we passed and which will be married with the House bill helps fix all of that. It is going to go a long way to addressing the concerns that were in this IOM report last week.

Electronic medical records will improve health care. They will promote the secure exchange of privacy-protected information, and they will seamlessly integrate quality standards with information technology, all of which means to say better care, lower costs, greater accessibility, the elimination of waste, elimination of inefficiency as well as the medical errors themselves.

So the House has moved. We have moved. Now it is time to get to conference as soon as we possibly can. And if we do that, we will move our system toward that vision of the patient-centered system which is driven by consumers and 21st century information. It will save lives.

UNANIMOUS-CONSENT REQUEST—H.R. 5683

Mr. SESSIONS. Madam President, I recently introduced a bill to preserve the cross that stands at the center of the Mt. Soledad Veterans Memorial in San Diego, CA, that is under attack by the ACLU to remove the cross. This bill would preserve that cross by having the U.S. Government purchase the property, as it stands, from the city of San Diego. This acquisition is the action that the U.S. Department of Justice tells us is needed to preserve this cross as a part of a memorial that has secular monuments also.

Congressman DUNCAN HUNTER has led the effort in the House. He is a San Diego Representative, chairman of the Armed Services Committee in the House. It passed 349 to 74 in the House. So we are trying to pass that in the Senate. It was called up for clearance by unanimous consent recently—I believe last night—and there was an objection from the Democratic side.

It is time for us to move forward. I don't think there will be overwhelming opposition to it, as there was not in the House of Representatives.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5683, the House bill, which was received from the House. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. NELSON of Florida. I object. It has not been cleared.

The PRESIDING OFFICER. Objection is heard.

Mr. SESSIONS. Madam President, I understand that. I know the Senator from Florida is a strong advocate of veterans. I am sure this represents an objection from the Democratic side somewhere else. I am urging my colleagues to look at this legislation. It is a time-sensitive matter because they have been sued. A Federal judge has ordered that, under California law, a $5,000 fine be imposed daily for failure to take this down, a symbol that has been up in the Mt. Soledad area for 54 years. Justice Kennedy of the U.S. Supreme Court has stayed that penalty to give us a chance to do something like this. I believe it is the right thing to do, and I want to share a few comments about it.

In 1954, this 29-foot cross was erected by the Mt. Soledad Memorial Association to honor veterans of World War I, World War II, and the Korean war. It has stood on Mt. Soledad in San Diego, CA. The memorial now serves to honor American veterans of all wars, not just veterans of World War I, World War II, and Korea.

Since 2000, the memorial association has added significant improvements to the property. The cross is surrounded by six granite walls. They are covered with over 1,600 plaques honoring individual veterans, with surrounding small pillars and brick pavers honoring veterans groups and supporters of the memorial, and community groups. A flagpole proudly flies the American flag.

It is very important that we as a nation understand that we are free today and have the liberties we have because people have sacrificed. Our Nation is still able—although some apparently around the world may not be—to call on its people to sacrifice for a common national good, and all over America veterans groups and community action groups have created memorials since the beginning of the Republic to honor those who place their lives at risk for the liberty we are so happy to have today.

It was not until 1989 that any person challenged the legality of this monument. At that time, Philip Paulson, a San Diego resident, sued the city, claiming that the cross display was unconstitutional and violated his civil rights.

In 1991, a Federal judge agreed with him and prohibited the display of the cross on city property as a violation of the California Constitution, which guarantees the ''free exercise and enjoyment of religion without discrimination or preference.'' That is different from the language we have in the U.S. Constitution. So the city attempted to meet the court's demand and protect the integrity of the memorial by selling or donating the property to a private party. But Mr. Paulson challenged every potential transfer of the property to a private party, revealing that his true objection was not to the city's ownership of the display but to the cross itself—something he personally did not like.

In 1992, 76 percent of the people of San Diego, CA, showed their support for keeping the cross at the Mount Soledad Veterans Memorial by voting to support ''Proposition F'' to authorize the city to transfer the property to a private nonprofit organization, so it would not implicate public matters. What is wrong with that?

After Proposition F passed, the memorial association did successfully bid for the property. It chose to keep the cross up but also made $1 million worth of significant improvements to the memorial, including the granite walls, plaques, pavers, flagpole, and American flag. Even after the improvements were completed, Mr. Paulson was still challenging the sale.

In 2002, the Ninth Circuit Court of Appeals on the west coast—considered the most activist circuit of all in the country and the most reversed by the U.S. Supreme Court—found that the method of the sale violated the ''no aid to religion clause'' of the California State constitution. They transferred it to a private, nonprofit, nonreligious organization, but they said this aided religion.

I believe this is something on which we can all agree. I know the Senators from California, Senators FEINSTEIN and BOXER, have indicated they believe this memorial should remain. I think we will be able to work through these difficulties and get this legislation passed.

Mr. President, following up on the Mount Soledad Memorial legislation to deal with the court ruling that has imposed a $5,000 fine per day on the city of San Diego, a ruling stayed by Justice Kennedy on the U.S. Supreme Court, that ruling deals with the cross that was maintained by the Mt. Soledad Memorial Association on property originally owned by the city of San Diego. Some 35 years after it was placed there, someone objected, and the city sold the property to the memorial association, putting it in the hands of a nongovernmental, private entity.

As a result of that action, a lawsuit was commenced anyway and still said it was improper, and the court reached a ruling that was sort of breathtaking and said they still couldn't do it. I would note that in 1992, 76 percent of the people in San Diego voted to support keeping the cross there, and voted

in support of Proposition F to transfer the property to a private organization. But still they didn't stop, and we have continued to see the litigation go on and on. Some of it arises from the case law and the very strong constitutional provisions unique to California.

In 2002, the Ninth Circuit had a ruling on it, and this is what they ruled: that the ''no aid to religion'' clause of the California Constitution prohibited California from transferring this property to a private association because any buyer who did not desire to keep the cross that was there would be required to pay for its removal, whereas an entity who wanted to buy and did not want to take the cross down would not have any expense; therefore, this aided religion. Now, that is the theory of it. I think that is not a sound analysis.

The Ninth Circuit is the most activist circuit in the country and we continue to have problems with them. They are reversed by the U.S. Supreme Court more often than any other circuit. Some years they have been reversed more often than all of the other circuits combined. One year it was 26 out of 27 cases the Supreme Court considered, they reversed. So that is what causes this problem.

A plan has been devised. Congressman HUNTER, who represents San Diego, and Congressman BRIAN BILBRAY, who represents the Mt. Soledad district, have worked hard to prepare legislation that would transfer it to the Federal Government, because this wouldn't be unconstitutional under Federal law. It passed in the House by an overwhelming vote of 349 to 74. We want to see that pass here. It has been called up and cleared on the Republican side of the aisle, and it is now being objected to by some on the Democratic side. So I would ask my colleagues on the Democratic side to work through this thing and see if we can get it passed. It would allow the veterans to be able to continue to have the memorial on Federal property that has been in place for 54 years. It does not establish a religion. On Federal property, it is consistent with the wishes of those veterans and their families for over a half a century.

I would note we have Democratic support for this concept. I notice that in one of the news articles from the Copley News Service here, Senator BARBARA BOXER, a California Senator, and one of the other Democratic Members, said:

> [T]he monument is a historic memorial to our veterans and should be allowed to stay.

Senator DIANNE FEINSTEIN, the other Senator from California, has said:

> [B]ecause of the history and significance of this monument to so many veterans and San Diegans, it should be preserved.

So the Congressmen there, the people of San Diego, and the Senators from California are in favor of this. It is as a result of this complex history and the obsession by the courts, it appears, to just eliminate any reference, any expression of religion whatsoever from the public square, even if it is not consistent with the U.S. Constitution, in my view.

I believe this legislation is important and should be passed. We can make this happen. I ask my colleagues to review it. I will plan to come back and deal with it some more if we cannot get it cleared. We need to have a vote on it, if it cannot be cleared voluntarily. I hope we can avoid that.

Mr. President, I note there are other Senators here wishing to speak. We are on the drilling offshore bill in the gulf, and that is a very important piece of legislation.

I, again, note I have asked this morning that this be cleared. We have another objection. We will continue to persist with this until we get everybody's attention and maybe they can review it and see fit to clear it. I think they will. If not, I will be asking the leader to invoke cloture on the legislation.

I further add, Senator MCCAIN has also offered legislation similar to mine. It would do the same thing. But the bill we are asking clearance on is the bill that came from the House, H.R. 5683.

I yield the floor.

MOUNT SOLEDAD CROSS

Mr. MCCAIN. Mr. President, I would like to express my strong support for passage of H.R. 5683, legislation passed by the House last week to preserve the Mount Soledad Veterans Memorial in Diego, CA. I want to associate myself with the comments made by my colleague, Senator SESSIONS. He and I both have introduced legislation similar to H.R. 5683 and I am pleased that Senator GRAHAM also has joined us in advocating a legislative solution to this important matter.

Since 1913, a series of crosses have stood on top of Mount Soledad, property owned by the city of San Diego. In April of 1954, the site was designated to commemorate the sacrifices made by members of the armed forces who served in World War II, as well as the Korean war.

In 1989, one individual filed suit against the city claiming that the display of the cross by the city was unconstitutional and, therefore, violated his civil rights. In 1991, a Federal judge issued an injunction prohibiting the permanent display of the cross on city property. Since that time, the city has repeatedly tried to divest itself of the property through sale or donation. But the plaintiff continued to mount legal challenges to every attempted property transfer. The legal wrangling over this memorial continues today.

The Mount Soledad Memorial is a remarkably popular landmark. In fact, I had the pleasure of visiting the Memorial during the Fourth of July recess and can personally attest to the profound impression it can leave on its visitors.

It is also of great importance to the local community. On two different occasions, the voters of San Diego have overwhelming passed ballot measures designed to transfer the property to entities which could maintain the cross. Given the many years of legal disputes regarding this memorial, I believe it is past time that this issue be resolved.

The bill that we are seeking to pass would bring the Mount Soledad cross under the control of the Federal Government, and specifically, the Department of Defense and would allow for the just compensation for the property in question. It also would address the required maintenance for the memorial and the surrounding property through a memorandum of understanding between the Secretary of Defense and the Mount Soledad Memorial Association. The minimal financial commitment required in this legislation will ensure the endurance of this memorial which serves as a reminder of the hundreds of thousands of men and women who made enormous sacrifices when our country called upon them.

I understand the bill has cleared on our side, and that we are awaiting for the other side to allow its approval. I can only hope that all of my colleagues will join us in supporting this legislation, and ensure the preservation of an important tribute to our men and women of the Armed Forces.

THE WAR IN IRAQ

Mr. BYRD. Mr. President, yesterday the Prime Minister of Iraq addressed a joint meeting of Congress. In his speech, he stressed his view that great progress has been made in his country in the past months and equated the violence in Iraq to the al-Qaida attacks on the United States on September 11, 2001. With the Prime Minister's comments in mind, it is worth taking stock of how this war began 3 years, 4 months, and 1 week ago. Let me say that again. It is worth taking stock of how this war began 3 years, 4 months, and 1 week ago.

The war in Iraq, that is what I am talking about. The war in Iraq. There is a war going on there, and we are involved in it. Our men and women are over there in harm's way. They die every day. The war in Iraq was initiated on the false promise of securing our country from the threat of weapons of mass destruction. That was a false promise. There have been many efforts to try to rewrite history. You can't do it. But there have been efforts to try to rewrite history and to try to find a new justification for the invasion of Iraq. But one need look no further than the use of force authorization passed by the Congress—when? On October 11, 2002. Look at that use of force resolution.

That resolution contains 23 ''whereas'' clauses. You can count them. Ten of those ''whereas'' clauses pertained to Iraq's efforts to develop weapons of mass destruction. The idea that Iraq

could threaten our country with weapons of mass destruction was the keystone of the argument for war. It was the one allegation at the center of nearly all the cases that were made for war.

I didn't fall for that. I didn't fall for that reason because I didn't believe it was there. I didn't believe that Iraq was a threat to the security of this country. I didn't believe it. I had reasons for not believing it, and I have said them many times.

The agencies that produced the intelligence to build the case for war have admitted that they made massive errors. Intelligence was massaged. Did you get that? Intelligence was massaged to remove most of the dissenting views. Dissenting views were not listened to very well. Congress, in 2004, even rushed to reorganize the CIA and the rest of our intelligence agencies based upon these massive failures—failures that built a flawed and discredited case for U.S. entry into that war.

I did not buy into the hype and the rush to war. I didn't buy into that. I didn't buy into that case. I didn't believe we had that case for war. I did not believe Iraq posed an imminent threat to the security of this country. I did not believe it. I said so. And therefore I voted against turning this whole thing—lock, stock, and barrel—over to one man, the President of the United States. Congress relegated itself to the sidelines, and it has never gotten itself off the sidelines, really. We are still there.

I did not believe Congress should have passed the resolution to allow the President—any President, not just this President, any President—to decide where, when, and why to launch an attack on Iraq. I did not believe then, I do not believe now, that one man, Democratic or Republican, or one woman, acting as the chief executive of our country, should be handed the authority to decide on his own to shed the precious blood of our sons and daughters, husbands and wives—to shed their blood.

The American people at this point should pause and reflect now on where our Nation stands in this war. Where does our Nation stand in this war in Iraq? As of today, July 27, 2,564—2,564—American men and women have been killed—dead. Upwards of $318 billion—that is a lot of money—upwards of $318 billion has been drained from our Treasury. Talk persists of more than 100,000 of our troops remaining in Iraq for many years to come—many years to come. Most ominously, the violence in Iraq appears to have entered a new phase. Mr. President, 2½ months after the killing of the terrorist leader Zarqawi, an average of 100 Iraqis are being killed every day, according to a new report by the United Nations.

Who is responsible for this violence in Iraq? Is it Osama bin Laden or some other nefarious outside force? Is it the same terrorists who plotted the attack on the World Trade Center? Is it the same miscreants responsible for the train bombings in London and Madrid? The answer is no. This wave of violence which has crashed over Iraq is the result of Iraqis fighting and killing Iraqis. Militias and death squads are carrying out a brutal campaign of violence against fellow Iraqis. Shiites are fighting Sunnis. Sunnis are killing Shiites. The Kurds of the north are under attack. No one is safe from these indiscriminate killings—not doctors, not teachers, not even children. Iraq is being ripped apart from the inside out.

Could there be any doubt that there is a civil war in Iraq? Statistics gathered by the Iraqi Government: 2,669 Iraqi civilians were killed in May; another 3,149 Iraqi civilians were killed in June. Government figures show that 14,338 civilians were killed in Iraq in the first 6 months of this year. At least 100,000 Iraqis are refugees in their own country. Yes, there is a civil war going on in Iraq. It is a civil war that has been brewing, brewing, brewing since we first opened this Pandora's box by invading Iraq in March of 2003.

I didn't vote for that invasion.

The question is, What are our troops doing in the middle of this civil war? What are American troops doing in the middle of this civil war? The American people should take notice of what is happening in Iraq. The American people—it is their sons and daughters, yes. Our troops are increasingly being thrust into this fighting with no plan for success. It is time to stop, look, and listen, and time to ask questions about where we are headed. Are our troops on the way out of Iraq or are they on their way in? Are they being drawn deeper into this civil war? Is there any chance for our troops to win a decisive victory on the battlefield or is the fate of our soldiers tied to the political fortunes of untested Iraqi politicians? Does anyone in this administration have a plan for how to deal with this civil war which is going on in Iraq?

These are not inconsequential questions. These are important questions. These are important questions for the people of our country. But instead of telling the American people how we are going to disentangle ourselves from the sectarian violence in Iraq, we learn this week that the President plans to send more American troops into Baghdad to take sides in the Iraqi-on-Iraqi fighting that is tearing that country part. The President announced on Tuesday—yes, he did—that he is sending thousands more U.S. troops into Baghdad, which is the center of the storm of violence.

So I say to the people out there watching through those electronic lenses, is this our plan? Is this our plan for dealing with an Iraqi civil war? When I asked Secretary Rumsfeld at an Appropriations Committee hearing on March 9 about his plan if civil war were to break out in Iraq, he said, ''The plan is to prevent a civil war, and to the extent one were to occur, to have the . . . Iraqi security forces deal with it, to the extent they are able to.''

Those are quotations. You can look at the Appropriations Committee hearings and find these words for yourselves.

The plan to have Iraqis deal with their own civil war appears to be on its way out the window. The Iraqi Prime Minister's attempts to pacify Baghdad with Iraqi troops has failed. In fact, the Prime Minister, in his speech to Congress, pleaded for more foreign aid and urged our troops to stay until Iraqis are ready to take up the fight to defend their Government.

Sending more U.S. troops to deal with domestic strife is not the right course. What we are seeing in Iraq is mission creep, mission creep, creep, creep, creep of the worst kind. The mission to overthrow Saddam Hussein is transforming before our very eyes into a mission to take sides between warring ethnic factions. This is a plan for disaster.

Our troops have bravely served in Iraq for more than 3 years. They have done everything that has been asked of them. Our troops did not ask to be sent to war, but the call to service has gone out and our servicemembers have responded. They have fought, they have been wounded, they have bled, and they have died for what our country has asked them to do. But we owe it to our troops to be judicious in what we ask them to do. We owe it to our troops not to send them headlong into fighting when there is no plan for victory. We owe it to our troops not to send them into the center of a civil war without raising so much as a question, without raising so much as a question about whether they belong there.

We cannot allow the escalating war in Lebanon to distract us from the deteriorating situation in Iraq. Look at what is going on. Open your eyes. The fighting between Israel and Lebanon has dominated our attention, but the administration is on the verge of making irreversible decisions about how deeply our troops will be involved in Iraq's civil war.

Before more of our troops are sent to Baghdad, the Senate must ask tough questions of Secretary Rumsfeld and our military commanders about whether they have a plan for dealing with the civil war in Iraq. The Armed Services Committee on which I serve must have a chance to exercise its oversight responsibilities before more of our troops are ordered to take sides in a fight that is pitting Iraqi against Iraqi. We have seen before the disastrous consequences of ordering our troops into the middle of civil wars. Do we remember the 241 marines who were killed in Beirut in 1983? Do we remember that? Let us remember the bloody battle in Somalia in 1993.

Let us have more wisdom, more caution, and a coherent strategy before we marshal our forces to send them once more into the breach in Baghdad. We owe that much to our brave troops. We owe that much to their moms and their dads, their wives and their children

anxiously awaiting their safe return home.

I yield the floor.

DISCRIMINATION ON THE INTERNET

Mr. WYDEN. Mr. President, several weeks ago I came to the Senate to announce I will do everything in my power to block this Senate from considering the major overhaul of the telecommunications legislation until that legislation includes specific provisions to ensure that there is no discrimination on the Internet. A discrimination-free Internet essentially is what the net neutrality debate is all about.

Certainly colleagues have been hearing a great deal about this subject as those who oppose net neutrality have spent millions and millions of dollars trying to convince the American people and the Congress that somehow discrimination on the net is a good thing. They have made a big point of trying to say that net neutrality is a very complicated issue, it is one involving technical issues of communications law, and it ought to be something left to lawyers and lobbyists to sort out in Washington, DC.

That is not good enough for me and I don't think it is good enough for the American people. In fact, more than 500 organizations with views all across the political spectrum have come together to support net neutrality and a discrimination-free Internet.

This is the fourth time I have come to the Senate to outline examples of what will happen if discrimination is allowed on the Internet and also to respond to some of the most directly asked questions about what net neutrality is all about.

Today I begin my discussion with a new development just reported by the Reuters News Service. Reuters News Service reported this week that the profits of the AT&T company were up by 35 percent, bolstered ''by strong growth in wireless and high speed Internet services.''

I am of the view this is excellent news. I want to see American companies be profitable. I believe in markets. I believe in wealth creation. When our companies do well, of course, they pay taxes. They pay taxes to the American Government and that can be used for health care, education, and other services our citizens have such a great interest in. It is free enterprise that makes markets work.

When Reuters reports that AT&T has made a 35-percent profit primarily due to wireless and high-speed Internet services, the digital part of the economy, that is good news.

However, there are other implications with respect to the news this week about AT&T profits. It seems to me what the news highlights this week is that AT&T can make money with an Internet that is discrimination free. They have been arguing, as part of the discussion involving telecommunications, that somehow it will not be possible for them to make the profits that are necessary for broadband and sophisticated communication services to get to all the people of this country.

The news this week shows that AT&T and other companies can be profitable with an Internet that is discrimination free. They do not need to throw net neutrality into the trash can in order to do well. The events of this past week have proved that AT&T does not need to discriminate in order to make money.

To continue with the discussion I have begun over the last few weeks, I also want to go to the question of ''won't consumers just get their broadband from companies that do not discriminate on the net if somehow we don't have net neutrality.'' This is an excellent question. The answer is simple. If there were a competitive market for high-speed Internet services, the market would guarantee net neutrality. Consumers would insist that the Internet remain free of discrimination and they could take their business elsewhere if they didn't happen to approve of discrimination.

Unfortunately, there is not a competitive market today for high-speed Internet. Until there is, strong net neutrality protections are needed. What is the market for high-speed Internet? According to the Government Accountability Office, in 2005, about 30 million Americans had broadband service. However, most of these Americans have a choice of perhaps only two broadband providers, the local phone company and the local cable company.

Some may have only one provider. Others may have no options at all. No choice, limited choice, certainly is not my view of a competitive market. A choice between two is only one step beyond a monopoly. Most experts say at least four providers are needed in a market for it to be truly competitive. Today's market is still a long way away from the kind of competitive model we need to best serve our citizens with the communications services they deserve.

Many of my colleagues have stressed the possibilities of satellite, broadband over power line, or wireless as competitors to what is called DSL and cable. These offerings are not real competitors. Satellite high-speed Internet is too expensive for the consumer to be a real competitor with today's services. Both wireless and broadband over power line are new technologies, and we all hope that someday they are going to develop into competitive options to the phone and cable company offerings. They ought to be encouraged. However, they are still new, and until they become widespread and priced at a competitive level with cable, for example, the market for high-speed Internet will remain limited or will remain a duopoly.

A second question I am often asked is: As a small business, what does all this Net neutrality stuff mean to me? Last week, I came to the Senate floor and explained what it means for consumers. Small businesses, of course, are just one type of consumer in the market. And no Net neutrality is going to mean the same thing for the millions of small businesses that it means for consumers: a double-barreled discrimination with less choice and a higher price. Small businesses also have a second concern: They use the Net not just as a consumer but also as a market for their business. They have Web sites. Small businesses across the country use the Net to market their products. Through Web sites such as NexTag and Yahoo Shopping, small retail shops are able to reach millions and millions of homes that they could not otherwise access. A bed and breakfast, say, in central Oregon, in Bend, OR, is able to market itself on the Net and compete with a Holiday Inn. For the small businesses, the prospect of a two-tiered discriminatory Internet, where they will have to pay priority access fees to network operators, is daunting.

For a small business, the fees that the large Bells and cable companies would charge could have a chilling effect on their ability to do business online. While large businesses can afford to take on these additional costs with only a small hit to their overall profitability, many small businesses are not going to be able to pay these extra fees. This would mean they would either get stuck on the Internet slow lane or have to mark up their prices more than big businesses. Either way, without an Internet free of discrimination, these small businesses are going to be at a competitive disadvantage.

In my previous discussions on the floor, in addition to trying to respond to some of the major questions people are asking about Net neutrality, I have tried to bring out several specific examples of the kind of discrimination that would be allowed under the bill that was passed by the Senate Commerce Committee recently. So today I want to outline two additional examples of what could happen to our small businesses if legislation allowing discrimination on the Net were allowed to move forward.

Let's say, for the purpose of the first example, we have a family known as the Taylors. The Taylors own an inn on the Oregon coastline. Occupancy has been lower lately because a large new national chain hotel opened up down the road. George Taylor's son Mike comes up with an idea to save the inn by reaching out to new customers: They ought to start a Web site to market their inn and take reservations online.

In a world with Net neutrality, the Taylor family, with that small inn, would pay to access the Net, create a Web page, and they would be off to the races, up and running, marketing their business. Under the Commerce Committee bill, in order to launch their Web page in the fast lane so they could

get priority access to customers across the country and around the world, that small business would have to pay an additional fee to hundreds, if not thousands, of Internet access providers around the country. The priority access fees are a drop in the bucket to that big national chain of hotels that is hurting their business, but if the Taylor family cannot pay the extra fees, they are not going to be able to compete.

A second example of how the absence of Net neutrality would hurt small business—this one involves a business owner who I am calling Jessica Myers. Ms. Myers owns a small legal placement firm with eight employees. In a world with Net neutrality, she saves money on her phone bills as a Vonage customer. She buys all her office supplies on line from another small business she found at Shopzilla, and saved thousands of dollars on new computer equipment from Buy.com. Her employees are able to navigate law firm Web pages, learning of open jobs and potential clients to market these openings to.

Under the Commerce Committee bill, Jessica's business is going to see a huge increase in her costs. Vonage no longer works properly, causing her to pay extra for phone service from the local phone company. The office supply store is no longer on line because they could not afford to pay for priority access and cannot compete without it. Her computer equipment at Buy.com is now more expensive, maybe 10 percent more, because Buy.com is passing on the costs they pay the network operators for priority access. Her employees are much less effective because they now spend hours every day waiting for law firm Web sites to load that are stuck in the Internet's slow lane. Her costs go up. Her productivity and her profits go down.

In each of these two new examples I have outlined of the consequences for our small businesses, the large businesses that own the Internet pipes are going to be extending their reach to the detriment of small business. According to the business plans of the big phone and cable companies, and what they have told Wall Street, what has been outlined in the Wall Street Journal newspaper, that is the direction they are heading. Without Net neutrality, neither of the small businesses in the examples I have cited is going to be able to use the Net in the way they do now, and they are going to be disadvantaged at a time when they are a big part of America's future in competing in the global marketplace.

The big cable and phone companies have spent millions—more than $40 million since January of this year—to try to make the American people think that Net neutrality is, to quote one Verizon lobbyist, a ''lose-lose proposition.'' The absence of Net neutrality will be the lose-lose for consumers. Discrimination will be seen in Internet content, and we will see higher prices for consumers. That is why more than 500 groups of all political philosophies and persuasions have come together to draw a line in the sand and say: We are going to insist that the Internet remain discrimination free.

At the end of the day, this issue of Net neutrality, despite what the opponents and the lobbyists want the Senate to think, isn't that complicated. Today, the way the Net works is you go with your browser where you want, when you want, and everybody is treated equally. Those who oppose Net neutrality want to change all that. They want to make it possible for phone companies and cable companies to play favorites. They will be in a position to charge some people more and some people less. They are people who want to change the way the Net works today, which is that everybody gets a fair shake.

And that is, again, the point of my citing this afternoon AT&T's profits that come from wireless services. I repeat, I am glad to see AT&T do well. I believe in markets, and markets are what make our country's free enterprise system go. But AT&T is doing well with an Internet that is based on the principle of equality, Net neutrality, and no American facing discrimination on line.

I see the distinguished Senator from Tennessee here, and he remembers our discussion about taxation and on-line services and on-line businesses. The Senate worked together on a bipartisan basis, and we have kept the Internet free of discrimination as it relates to taxation. I think it makes no sense at all for the Senate to say we are going to let the Internet prosper as it relates to taxation—and taxation is a big factor, obviously, in business opportunities and business sales—it makes no sense to keep the Internet free of discrimination as it relates to taxation and then to throw Net neutrality in the trash can and allow discrimination as it relates to so many other aspects of on-line business and services that are important to the American people.

So this is the fourth time I have come to the floor to discuss this issue. I do not want to see consumers face the double barrel of discrimination and higher prices on line. It is my intent to keep my hold on that overhaul of the telecommunications legislation on until I see that bill has been changed, until I see it has been altered and revised to ensure the core principle of the Internet—that everybody gets a fair shake and that the Internet is free of discrimination. My hold stays until that bill is altered so we can preserve an Internet free of discrimination for all Americans in the years ahead.

Mr. President, I yield the floor.

HONEST LEADERSHIP AND ACCOUNTABILITY CONTRACTING ACT OF 2006

Mr. DORGAN. Mr. President, this is a piece of legislation which we offered previously during this Congress, unsuccessfully, I might add, that I and others intend to offer once again.

I want to describe it and describe why we intend to offer it again as we find additional legislation on the floor of the Senate with which to offer it as an amendment. It deals with accountability in contracting. The legislation we have introduced is called Honest Leadership and Accountability in Contracting Act of 2006. I introduced it on March 2, S. 2361. The bill is sponsored by 30 of my colleagues here in the Senate. Senator REID joined me in announcing the legislation that day. The bill includes contributions from a number of Members of the Senate and the work they did on issues relating to this which we have put in the bill.

I want to describe the bill briefly. It is a bill that will punish war profiteers with substantial penalties for profiteering during wartime contracts. It is a bill that will crack down on defense contract cheaters by restoring a rule on suspension and debarment, to say we are not satisfied any longer when we see someone cheating on a contract and cheating the American taxpayer to say, Well, you get a slap on the wrist and a pat on the back and a new contract. This gets tough. It cracks down on contract cheaters. It will force real contract competition, and it will do so by prohibiting the awarding of large monopoly, sole-source, no-bid contracts.

The legislation has a number of other provisions as well, but it is important legislation. I want to describe why, and I want to describe some of the things I have been doing.

Let me start by saying this is not about Democrats or Republicans. It is not about conservatives or liberals. Waste is not part of it. Waste is just waste. Contract abuse is not partisan. It is just abuse of the American taxpayer. Let me describe a couple of things to begin this discussion.

This is April 30, 2006, in the New York Times. The United States pays for 150 Iraqi clinics and manages to build 20.

A $243 million program led by the United States Army Corps of Engineers to build 150 health clinics in Iraq has in some cases produced little more than empty shells of crumbling concrete and shattered bricks cemented together in uneven walls.

What is that about? It is about a huge contract, a contract to produce 150 health care clinics in Iraq, and now we see the money is gone, but the health care clinics weren't built—not 150 of them. Only 20 of them were built. Yet the money is gone. Let me talk about these issues and go back to the beginning of what piqued my interest.

In February of 2004, I began hearing from some whistleblowers who said: We want to tell our story. So as chairman of the Democratic Policy Committee, we convened some hearings and listened to them. We held eight oversight hearings on the issue of contracting abuses in Iraq and heard from whistleblowers. I will describe them.

We had two oversight hearings on the response to Hurricane Katrina, and I will describe just a bit of that. But let me describe this, going back to February of 2004, almost 2½ years ago. This is a description of what is happening in contracts in Iraq.

Henry Bunting is a fellow who came to see me. He worked in Kuwait. He worked for Kellogg, Brown and Root, which is a subsidiary of Halliburton. You might recall, they got big no-bid, sole-source contracts and made a lot of money. He worked as a field buyer in Kuwait.

He told us they spent up to $7,500 a month to rent ordinary cars and trucks. Think of that. American taxpayers pay for that.

The company had purchased monogrammed towels for $7.50 apiece when they could have cost $2.50. These are hand towels for American soldiers. The company that was buying them told Henry: We want the company name embroidered on the towel.

That more than doubled the cost to the taxpayer. The company said: It doesn't matter, this is cost-plus; the American taxpayer is going to pick up the tab.

It is almost unbelievable.

Another thing Henry told us, 25 tons of nails, that is 50,000 pounds of nails, were ordered and delivered to Iraq. They were the wrong size. They are laying in the sand.

It doesn't matter. The American taxpayer is going to pick up the tab.

Henry came forward. I wonder what kind of courage it took for Henry to come forward and tell us that, but he did it and good for him. It piqued my interest, however, in February 2004, to hear whistleblowers talk about what was going on with respect to contracting in Iraq. Then, in subsequent stories we would hear about contracting abuses.

> ''Pentagon auditors found that Halliburton cannot properly document more than $1.8 billion in work under its contracts,'' Army officials said yesterday. The $1.8 billion amounts to about 42 percent of the $4.3 billion the company has billed to the U.S. Government under the contracts.

Among other things, they were charging the U.S. Government for feeding 42,000 soldiers every day. It turns out they were only feeding 14,000 soldiers. I can understand missing a cheeseburger or two, but 28,000 meals? Overcharging by 28,000 meals a day? I don't think that is just missing a meal or two.

So we began having some hearings because the committees of jurisdiction, the authorizing committees where this money was spent, were not having oversight hearings.

We had a woman named Bunnatine Greenhouse come to Congress. I want to tell you what Bunnatine Greenhouse said. Bunnatine Greenhouse was the highest civilian official in the Corps of Engineers, the Army Corps of Engineers, in the Pentagon. She was the highest civilian official, highest ranking procurement official in the Corps of Engineers. She was in charge of all procurement.

She had the courage to go public. Here is what she said:

> I can unequivocally state that the abuse related to contracts awarded to KBR represents the most blatant and improper contract abuse I have witnessed during the course of my professional career.

Let me tell you about this woman. Every evaluation ever given her said she is outstanding, she is exceptional. Now she doesn't have her job any longer. She lost that job because she had the courage to speak out. They are investigating that now at the Pentagon. But that is what she said.

Instead of taking the company to task, instead of taking the folks in the Corps of Engineers to task, they took to task the woman who had the courage to come here and speak the truth.

Bunnatine Greenhouse has been replaced. I mentioned she was demoted. She lost her job. She has been replaced by an American who has no experience in procurement. Isn't that interesting? They bring in a person with 40 years government experience and no experience in procurement. They are actually sending her to school to learn about procurement.

I don't understand this. We have seen what happens when you bring in people without experience. We saw it in FEMA, filling top jobs with cronies who had no experience with disaster preparedness or relief, and it just collapsed.

Now we have the top civilian contracting official in Iraq who pays for it with her job when she speaks out. She says what is going on is wrong, and we don't have to take her word for it; just look at the headlines. It is wrong. She pays for it with her job, and she is replaced by someone who doesn't have experience in contracting. It just baffles me that somehow this is continuing.

I mentioned we have had a good many hearings. I have not preferred to have the hearings, but I have said if the authorization committee of jurisdiction isn't going to hold oversight hearings, and there are whistleblowers who want to speak, I am perfectly willing to hear them on behalf of the American taxpayers. The hearings have shown us just a dramatic amount of waste, fraud, and abuse. Much of it is being investigated.

The fellow working for the U.S. Department of Defense for 30 years who ran the fuel operation to get fuel to the soldiers wherever they are in the world retired. Then he came to us publicly, and he said: What the American taxpayer is being charged to fuel those army trucks in Iraq is unbelievable. They are being so overcharged.

This is from the guy who used to do it all over the world for 30 years.

We had a fellow named Rory show up at a hearing. Rory was a food service supervisor in Iraq. Rory actually testified by Internet. He was a food supervisor, worked for KBR, Halliburton.

He said: You know, we had all kinds of food that was transported in to feed the troops in Iraq. We had food brought in that had expired date stamps on it: This food is expired. Don't serve after this date. Our supervisor said it doesn't matter what the date stamp says, serve the food. Put the food on the table. It doesn't matter that it is expired. He said that was routine.

Second, he said he was told and others were told: Don't you dare talk to government investigators. When they come around, if you talk to a government investigator one of two things are going to happen. You are going to get fired or you are going to get sent to an area where there is significant hostile action.

This man named Rory talked to investigators, and guess where he ended up. He ended up in Fallujah, during hostilities. It is pretty unbelievable to me that we have contractors who tell employees don't dare talk to a government auditor if they show up.

Let me show a picture of some money. This is a picture of a transaction in the country of Iraq. This fellow came and wanted to testify. He was a fellow who was in Iraq, in this room.

This, by the way, is $2 million in cash in one-hundred-dollar bills wrapped in Saran wrap. He is the fellow who dispensed the money, early on. He had all these contracts going on. This money went to a company called Custer Battles. We had a hearing on that as well. This $2 million went to Custer Battles.

Two guys show up in Iraq with not much experience and very little money and they decide to get contracts. They get contracts. It is the Wild West. This guy says it is like the Wild West. They say: You bring a bag because we pay in cash. That is the way we operate.

Custer Battles gets a contract to provide security at the Baghdad airport. Among other things, it is alleged they took the forklifts, took them over to a warehouse, painted them blue, and then resold them to the Provisional Authority, which was Uncle Sam. But that is part of the story. They ended up getting $100 million, and this is $2 million of that. This fellow said we actually played football with these things. We pay in cash, bring a bag, it is like the old West. He said it was unbelievable.

Let me show what the Baghdad airport director of security said about the company that got this money. He said:

> Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

This is from the director of security, in a memo to the U.S. Federal Government, then called the Coalition Provisional Authority. The Baghdad airport director of security, here is what he said about the people who were getting our money.

I look at all these things, and I ask the question: What is going on? How can they do this?

Just the other day, the Pentagon finally announced that we are going to now require some bidding on contracts—billions of dollars late. Let me show you what they said. ''Army to end expansive, exclusive Halliburton deal.''

I am not just talking about Halliburton. It happens most of these press things are about Halliburton, KBR, but there are others—Custer Battles and others as well. Whenever you have this much money being thrown out there with no-bid contracts and sole-source contracts, I am telling you it is like a hog in a crick. All you hear is grunting, there is a lot of shoving, and everybody wants the money.

''Army to end expansive exclusive Halliburton deal,'' It says:

> Army is discontinuing a controversial multibillion dollar deal with oil services giant Halliburton to provide logistical support to U.S. troops worldwide, a decision that could cut deeply.

Understand, the Army says very late: OK, now we will start bidding. We will have several companies bid. And by the way, once the bidding is done, we will have another company oversee the company that gets the bid.

Oversight is the responsibility of the Pentagon. When they put out a contract, it is their responsibility to provide oversight. Our responsibility is to figure out what we are spending in Congress, who is spending it, with what efficiency, and if it is wasted, to call into account those who are wasting it.

Let me go back to the first chart that I showed today. This is yet another company. This company is Parsons.

> A $243 million program led by the United States Army Corps of Engineers, through a contractor, to build 150 health care clinics in Iraq and has in some cases produced little more than empty shells of crumbling concrete and shattered bricks cemented together into uneven walls.

We pay for 150 clinics and we get 20. The money is gone. The question is, Where did the money go and why? Who has it? What did we get for it? Is there accountability to the taxpayer for this sort of thing.

I understand in wartime money is spent in a way that is different, from time to time, than it is spent in peacetime. Sometimes you just have to spend extra money to get things done. But $45 for a case of Coca-Cola; $7,600 a month to rent vehicles? I don't think so. I mean, that is just the tiny little tip of the iceberg.

The question is, What comes of all of this? How do we stop all of this? How do we decide, on behalf of the American taxpayers, that this matters and we are not going to let this happen again? We have some people coming tomorrow who are going to talk about this contract, people who were in Iraq and watched this happen. We are going to evaluate what happened.

As has been the case in every circumstance, we will refer what we find to the Department of Defense and ask why.

We held a hearing on the subject of water. I know the Presiding Officer, in fact, in his subcommittee has taken a look at this and has asked some tough questions and is trying to figure out what was happening there.

We have never quite figured out what has happened because the contractor and the Defense Department each point fingers and say nothing happened. Then they say the other side made it happen.

About this water circumstance, we had people come to testify, saying: We were there.

Here is the report. The report says they were hooking up for nonpotable water—that water which is used by soldiers in Iraq to brush their teeth, to wash their faces, to take showers—they were hooking up hoses that had water that was more dangerous than water that came right out of the Euphrates River, water with no disinfectant at all.

In fact, we had an e-mail from an Army physician who is in Iraq. She said: I have seen this. In fact, I went and tracked the hoses to find out where this water was coming from and what the contractor was doing with it. It was contaminated water that was worse quality than the water you take if you dip a pail in the Euphrates.

It is unbelievable. People get paid for this, they are incompetent, and they decide it doesn't matter? The person in charge of all the water in Iraq to be served to U.S. troops for Halliburton wrote an internal memorandum that I have made public. He said this was a near miss for us. It could have been mass sickness or even death. That was Will Granger, the top water quality manager, on May 13, last year.

Remember, this is a company which says this didn't happen. The Pentagon says it didn't happen. This is the internal Halliburton company report:

> This event should be considered a ''NEAR MISS'' as the consequences of these actions could have been very SEVERE, resulting in mass sickness or death.

Officially, this company still insists this didn't happen. Their internal reports by their own employees in Iraq demonstrate it not only happened, it was very serious.

I don't do this because I am trying to make life miserable for somebody. I do this because we need to protect the American troops, first and foremost; and second, we need to protect the American taxpayers.

I much prefer that the authorization committees of jurisdiction through which this money moves would hold tough accountability hearings, call people in, put them under oath. But that has not happened. As a result, I have held a series of hearings as chairman of the Policy Committee. Such a hearing will occur in the morning on this issue of health care clinics.

My hope is that at some point, we will find an appetite in this Senate from people on both sides. This is not a Republican or a Democratic issue. I hope we will find an appetite by everyone in this Senate to decide we are going to insist on people being accountable for the money that is spent and for what is done with respect to providing for American soldiers and doing what is necessary to be done under these contracts.

These contractors have fallen far short. The American taxpayers have been fleeced. They have taken a bath as a result of these kinds of actions. I know as I say this that there are undoubtedly some very good contractors. They have some good workers who risk their lives. They have done some good work. I say, God bless them. But when I see stories such as this, it makes my blood boil.

Harry Truman served in this Chamber. In fact, the first desk I had was a desk sat in by Harry Truman. He sat in this Chamber back in the early 1940s when we were at war. A President of his own party was in the White House. Harry Truman said: There is too much waste, fraud, and abuse in the Pentagon, in military spending, and they established the Truman Committee. He went all around the country holding hearings. They found billions of dollars of waste, fraud, and abuse. That was the legacy of the Truman Committee.

We ought to have one again. I have offered in the Senate, and I have been voted down. I think I have offered it now three times. By the way, I will offer it again. A good idea does not have to die a natural death. At some point, it can survive and succeed.

But more than the Truman Committee, I believe we ought to pass the legislation I described as I started. That legislation is legislation I introduced on March 3 of this year. It is now the end of July. On March 2, Senator REID, myself, and 30 of my colleagues introduced legislation called the Honest Leadership and Accountability In Contracting Act of 2006. It is long past the time for this Congress to have done what we should have done a month or 2 ago, 3 months ago; that is, pass this legislation, punish war profiteers, and do so aggressively. End cronyism in these key positions, especially in contracting, crack down on contract cheaters, and force real contract competition, real competition that gives the taxpayer the best price and holds accountable those contractors for getting the job done and getting it done in the right way.

I am going to pursue this, as I have indicated, with additional hearings, if necessary. I would much prefer they be done by the authorizing committees. One way or another, we are going to pursue these questions and ask for accountability and demand accountability.

As I said when I started, none of this is about politics. Republicans and Democrats work together on things from time to time in this Senate. This is one we can and should and I hope will work together on to fix for the good of this country and for the good of the American people.

RETIREMENT OF MARTY BERMAN

Mr. FRIST. Mr. President, the Senate community is losing a longtime and valued employee. After 18 years of loyal and distinguished service, Marty Berman is retiring from the Senate Recording Studio. Marty played an integral part in the television broadcast of the Senate's proceedings and in helping facilitate the audio and video needs of Senators and their staffs.

His service to his country really started 45 years ago. Marty served faithfully, enlisting twice in a military career that began when he was 17 and lasted 6 years from 1961 to 1967. Before leaving the military he was a communications specialist with duty in Vietnam.

Marty brought extensive television experience to his job at SRS. In the private sector he worked at Satellite News Network, CNN, and finally at CBS. His work for Charles Kuralt and CBS Sunday Morning was nominated for an Emmy. A 13-minute-long story he had photographed was aired, which is the television equivalent of a long book.

His career at the recording studio began in 1988 where he quickly came to specialize in audio operations. However, his contributions were not just technical. He also had just the right personal touch with Senators. It isn't always easy to get up in front of TV cameras and lights to speak, even for Senators, but Marty had the ability to put any Senator at ease. When floor directing, he spoke to each Senator easily and with warmth, and they trusted him. He was never intimidated but he was always respectful.

Marty can be a bit feisty, but his bark is much worse than his bite. To those who have gotten to know him, he is warm and caring, too.

Marty ended where he had started, working the Senate television shift. In 18 years he braved many long days and late nights through the Senate's always unpredictable schedule. Throughout his time at the studio, Marty could always be counted on to be at his post. That included his work as chief STV audio operator where for most days during his shift he started up in the audio booth, assuring that the Senators could always be heard in the Chamber and on television.

Marty has two grown sons, Eric and Alex. The two have been the pride of his life and have become responsible and caring adults. His marriage to Darlene has brought him much happiness. Both share the same three hobbies: antique collecting, antique collecting and more antique collecting. Their home is a somewhat cluttered but fascinating museum of American Western and American Indian artifacts, pottery, Big Little Books and just about anything else you can think of. Last but not least, there are four others who hold a place in his heart. They are Hoover the yellow lab, Clarence the bassett hound, Crystal the cat, and Birdie the cockatiel. Birdie likes to lie back and listen to the blues with Marty and Darlene and can even whistle ''Bridge on the River Kwai.''

Marty's unique personality, loyalty, and dedication will be missed. We all join to wish Marty the best as he begins this next adventure in his life and know he will enjoy the newfound time for family, friends, pets, and antique collecting.

CARL PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 2006

Mr. ENSIGN. Mr. President, I rise today to support final passage of S. 250, the Carl D. Perkins Career and Technical Education Improvement Act. This legislation represents a bipartisan effort to enhance and strengthen career and technical education programs across the United States.

In my home State of Nevada, career and technical education programs enjoy strong support. Recently, career and technical educators from across the State came together to come up with common course standards for students that focus on certain career and technical education programs. Nevada also has a Career and Technical Education Plan that links these course standards with the academic requirements of the No Child Left Behind Act.

I have always supported the Perkins Career and Technical Education Program because I believe that these programs often catch students that slip through the cracks in traditional education programs. Career and technical education programs provide students with real world applications for what they are learning in the classroom. Students in Nevada have the opportunity to work with state-of-the-art technology in their classrooms to learn the skills they need in the workforce. Too often these are students that would have dropped out of school had career and technical education courses not been available.

During the conference committee on this important legislation, I was honored to work with my colleagues to strengthen this legislation. We worked to ensure that career and technical education programs have strong performance indicators that are linked to meet industry standards as well as academic achievement. The tech-prep grant program was maintained as a separate program to encourage continued innovation in career and technical education programs. This legislation also encourages states to develop articulation agreements and sequences of courses, something Nevada has already worked hard to develop. Finally, this legislation recognizes the importance of strong partnerships between high schools and institutions of higher education that support these programs.

During the conference I worked hard to ensure that funding for the Perkins programs continued to flow to fast-growing States. It is vitally important that funding follow students to their new homes. To that end, we maintained the current hold harmless level at the 1998 level. This allows millions of dollars to move from State to State according to student population counts. As a Senator for one of the fastest growing States in the country, it is my duty to ensure that each of the children in Nevada, whether they were born in Nevada or just recently moved there, are accounted for when Federal funds are allocated to States.

I am pleased that all of my colleagues supported final passage, and look forward to working with career and technical educators in Nevada to implement this important law.

Mrs. MURRAY. Mr. President, I rise today to applaud the passage of the Carl D. Perkins Career and Technical Education Improvement Act of 2006. Perkins, the Federal Government's largest investment in our Nation's high schools, provides critical resources for students pursuing career and technical education at the secondary and postsecondary levels. Although the President has proposed eliminating the program in recent budget requests, Perkins has enjoyed a long history of bipartisan support. More than 11 million students are currently enrolled in some form of career and technical education and I am confident this reauthorization will improve the programs and services available to help them realize their goals.

I am particularly heartened by this bill's heightened focus on individualized student counseling and the use of graduation and career plans. For too many students, high school graduation and postsecondary education seem out of reach. That is why I have introduced my Pathways for All Students to Succeed, PASS, Act. The PASS Act provides assistance for schools to hire and train mathematics and literacy coaches; supports the collection and reporting of accurate graduation rates; and targets funding for struggling schools to implement reforms. It also dedicates resources to increase the number of academic counselors working in schools. Research has shown that providing early high school students with guidance boosts the likelihood that they will graduate with a diploma. Early, individualized planning also helps students obtain the coursework and training they need to achieve their professional aspirations. I applaud the increased focus on individualized student counseling and planning in Perkins, which will reach career and technical education students earlier in their schooling and put them on a track to graduate.

This Perkins reauthorization retains and strengthens the Tech Prep program, which encourages states to design and implement innovative programs that combine secondary and postsecondary activities into a coherent set of courses. In my home State of Washington, it is estimated that workforce training at community and technical colleges increases a student's lifetime earnings by more than $150,000.

Federal Perkins dollars, matched by States and localities, are precisely the kind of government investment that pays off over a lifetime and I salute the continuation of these important programs.

In addition, I am heartened by several of the major changes we made to update the bill. We strengthened the emphasis on assisting students in preparing for high skill, high wage or high demand occupations, ensuring that we provide our students with skills they need to remain competitive in today's global marketplace. We promoted partnerships among high schools, community colleges, local workforce investment boards, business and industry, with the twin goals of providing students with pathways toward skilled occupations and producing the trained workers that employers need. We promoted professional development opportunities for career and technical education teachers, counselors, and administrators, so that those leading our classrooms and schools remain on the cutting edge of ever-changing workplaces and economy.

I commend this bill for bolstering the reporting requirements for Perkins programs, extending this level of transparency to the local level and requiring disaggregation for important population subgroups, including individuals with disabilities; students from economically disadvantaged families, including foster children; people preparing for nontraditional training and employment; and single parents, including single pregnant women. I am pleased that States now are required to report on student rates of attainment of diplomas and GEDs, as well as annual graduation rates. Valid and reliable data serves both an accountability and diagnostic function, and I am pleased to see that this reauthorization requires states to collect and publicize this information.

I would like to thank Senator KENNEDY, Chairman ENZI, Chairman MCKEON, and Congressman MILLER for their leadership on this bill. I also want to thank Carmel Martin, Jane Oates, J.D. LaRock, Beth Buehlmann, Scott Fleming, Whitney Rhoades, and Denise Forte for their hard work. The time and effort dedicated by members and staff is evident in the quality of the final product and I am pleased to support the reauthorization of the act.

VOTING RIGHTS ACT REAUTHORIZATION AND AMENDMENTS ACT OF 2006

Mr. LEAHY. Mr. President, I have been advised by Chairman SPECTER's staff that the chairman is correcting the RECORD regarding some materials that were inserted last Thursday, July 20, 2006, during debate on reauthorization of the Voting Rights Act. I thank the chairman for correcting the RECORD. Contrary to how it appeared in the RECORD, those materials did not reflect work of the bipartisan staff of the Judiciary Committee.

I understand that the chairman filed a committee report last night on S. 2703, the Senate bill reported by the committee last Wednesday. I have yet to see a copy of that final report, nor is it yet publicly available. Indeed, no draft committee report on S. 2703 was circulated to the committee until July 24, 2006, 5 days after the Judiciary Committee unanimously voted to report it and the chairman had reported it, and four days after the Senate unanimously passed H.R. 9, the bill that President Bush signed into law this morning. That draft report did not contain findings based on the extensive record created in both the House and Senate.

In this highly unusual development, as the report filed should indicate, it does not reflect the views of a majority of the Senate Judiciary Committee. This, in spite of the fact that all members voted to report the bill favorably.

Fortunately, we had the foresight to include legislative findings in the body of the legislation itself. Those findings, based on the record, were adopted by the House and unanimously by the Senate last week. I want to thank Chairman SENSENBRENNER, Ranking Member CONYERS, Congressmen WATT and LEWIS, and all those who worked so hard to assemble and consider that record in the House. Their outstanding work gave us in the Senate a great start, which we supplemented with nine additional hearings. The findings remained the same and were adopted in identical form by both Houses. It is that bill and those findings, based on the extensive record that 18 members of the Judiciary Committee voted to report as part of S. 2703 last Wednesday, July 19 and that 98 Senators voted for in adopting H.R. 9 last Thursday, July 20.

With regard to committee consideration, after nine hearings, the committee held a special business meeting at my request to debate S. 2703 on July 19. At our business meeting, the committee debated and voted on only one substantive amendment, Senator COBURN's amendment related to section 203 of the Voting Rights Act. It was debated and then defeated. Other than an amendment I offered at Senator SALAZAR's suggestion to add the name of César Chávez to the short title, which was adopted, no other amendments were offered. The record is the record. As reported by The Houston Chronicle the next day, Senator CORNYN said: ''I decided that any amendments would be defeated, so I decided not to offer any.''

As Chairman SPECTER's deadline approached yesterday for filing views to be included in a highly unusual committee report, the Democratic Senators learned that the document the chairman was prepared to sign and file had changed dramatically from the document he had circulated as a draft report on July 24, 2006. As sponsors of the Senate legislation who have supported it pressed for its enactment and voted for it, we felt compelled to file views registering our disappointment that the views then being circulated did not reflect our views, did not properly reflect the record supporting our bill, and did not fully endorse the bill we introduced, sponsored and that we and all members of the committee voted to report favorably to the Senate. After we filed our views, I understand the report was revised even further to incorporate what had previously been styled as supplemental views into a new and not previously circulated version.

I will ask unanimous consent to have printed in the RECORD a copy of the signature page showing that even then only nine Republican members of the committee, less than a majority, endorsed the report.

Of course, at the time of floor debate and consideration of H.R. 9 in the Senate, no Senate committee report on S. 2703 was available to Senators. Fortunately at the time of Senate floor debate and consideration of H.R. 9 in the Senate last week, Senators had available to them an extensive record to inform their votes. We had the voluminous Senate Judiciary Committee record, including thousands of pages of testimony. We had the full record before the House of Representatives, including thousands of pages of testimony. We had the House Committee Report and the full debate on the floor of the House of Representatives, including debate surrounding four substantive amendments to H.R. 9 that were all rejected.

Leading up to final passage of the Voting Rights Act reauthorization, I provided the Senate with some of the extensive evidence received in the Judiciary Committee about the persistence of discriminatory practices in covered jurisdictions that supports reauthorization of this crucial provision. I provided evidence regarding the need for fixes to two Supreme Court decisions to clarify Congress's intent regarding the Voting Rights Act to reinforce the original purpose of the act. I also pointed to evidence supporting the extension of the act's critical bilingual language assistance provisions. I included statements in the CONGRESSIONAL RECORD from Tuesday and Wednesday and available to all Senators during the course of the debate. I referred to that evidence early in the debate last Thursday.

Most importantly, of course, at the time we voted, all Senators had before them the detailed findings in section 2 of the legislation based on the record and all Senators endorsed those findings with their votes. For example, those findings explicitly include:

> ''Evidence of continued discrimination includ[ing] . . . the hundreds of objections interposed, requests for more information submitted followed by voting changes withdrawn from consideration by jurisdictions covered by the Voting Rights Act of 1965, and

section 5 enforcement actions undertaken by the Department of Justice in covered jurisdictions since 1982 that prevented election practices, such as annexation, at-large voting, and the use of multi-member districts, from being enacted to dilute minority voting strength; . . . the number of requests for declaratory judgments denied by the United States District Court for the District of Columbia; . . . the continued filing of section 2 cases that originated in covered jurisdictions; and . . . the litigation pursued by the Department of Justice since 1982 to enforce sections 4(e), 4(f)(4), and 203 of such Act to ensure that all language minority citizens have full access to the political process.'' In addition, those findings include, ''[t]he continued evidence of racially polarized voting in each of the jurisdictions covered by the expiring provisions of the Voting Rights Act of 1965 demonstrates that racial and language minorities remain politically vulnerable, warranting the continued protection of the Voting Rights Act of 1965.''

These findings the Senate adopted in its unanimous vote for H.R. 9 and as a reauthorization measure also incorporated the statutory findings within the following provisions of the Voting Rights Act of 1965: section 203(a); section 4(f)(1); section 10(a); and section 202(a).

By passing the legislation, Congress has adopted and reaffirmed the detailed findings in H.R. 9. The Senate unanimously adopted these findings. Nothing inserted in the RECORD thereafter can diminish the force of those findings contained within the enacted legislation itself. As several courts have properly recognized, postpassage ''legislative history'' is a contradiction in terms.

Earlier today, we celebrated the reauthorization and revitalization of the Voting Rights Act when President Bush signed that bill into law. I know that many in his party are unhappy with him, but I think he did the right thing. The Voting Rights Act is one of the most important laws Congress has ever passed. I am proud to say that our democracy and our Nation have been better and richer for it.

The Voting Rights Act is the keystone in the foundation of civil rights laws and is one of the most important methods of protecting all Americans' foundational right to vote. Several generations have kept the chain of support for the Voting Rights Act unbroken, and now our generation has done its part to continue that legacy and revitalize the act.

Keeping the Voting Rights Act intact is important, but enforcing it is equally important. Now that Congress has passed this bill—and the President has signed it—it is up to the President to ensure that this law and all of its provisions are enforced fully and faithfully. I was pleased today to hear the President commit to aggressive enforcement and to defend the act from legal attacks. Article I of the Constitution provides for the Congress to write the laws, and article II provides for the President to enforce them. Congress has done its part, and now the President must do his. I commend him for saying that he will. That was the most important thing the President said today.

The President has not always been a supporter of this important civil rights law. While Governor of Texas, President Bush fought against some of the key antidiscrimination provisions Congress just reauthorized, as noted in a front page story in today's Washington Times. Today the President acted on behalf of all Americans and did the right thing despite the backbiting and criticism within his party. I commend him.

Now his responsibility is to faithfully execute the law and aggressively enforce its provisions. I trust we will not see another after-the-fact Presidential signing statement undercutting the commitment he made today in his public statement and by signing the Fannie Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

The enactment of this law is a triumph for all Americans and a testament to efforts of its supporters in the House and Senate. On several occasions there were attempts by some to derail this bill. Those efforts continue. Fortunately, the findings in the act itself and the record we have built supports this important measure. We know that effective enforcement of these provisions is vital in stamping out discrimination that, unfortunately, still exists in this Nation today. As the President has acknowledged, the wound is not healed and there is more to do to protect the rights of all Americans to vote and have their votes count.

I ask unanimous consent that the signature page to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Arlen Specter
Orrin Hatch
Chuck Grassley
Jon Kyl
Jeff Sessions
Lindsey Graham
John Cornyn
Sam Brownback
Tom Coburn

NOMINATION OF FREDERIC S. MISHKIN

Mr. BUNNING. Mr. President, I wish to speak briefly about the nomination of Dr. Frederic Mishkin to be a Federal Reserve Governor and why I voted against him.

I do not think Professor Mishkin is the right choice for the Federal Reserve. I am not convinced that he will be an independent voice.

I met with Professor Mishkin a few weeks ago and found Professor Mishkin to be a pleasant and intelligent man. I do not question his integrity or his qualifications for the job. He has spent his entire career studying and writing about monetary policy and economics. And his passion is evident.

To me, the question is not about Professor Mishkin's qualifications but about the kind of Fed we need. I do not hold Professor Mishkin's long friendship with Chairman Bernanke against him, nor do I think he will have problems speaking his mind to the chairman when they disagree. My concern is that those disagreements will be few and far between, and that the chairman hand picked him for that reason.

More than that, I am afraid the Fed has too many people with the same background. Many Fed members have spent a great deal of time studying central bank actions, but too few have experience dealing with the real-world consequences of those actions. Even Fed Chairman Ben Bernanke recently agreed that having people with different backgrounds on the Fed is healthy, and he stated his support for the next nominee to come from the financial services industry.

However, Professor Mishkin will only continue the trend toward an ivory-tower, academic Fed. Because of that, I voted ''no''.

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 January 23, 1981, in Chicago, IL, Stevie Lynch, a mentally retarded man, was attacked while walking to a friend's house. According to police, two men stopped Lynch on the street taunting him about his disability and trying to make him drink beer. They then pulled him into a passageway punching him and beating his head against the wall. Lynch suffered fractures to his skull and jaw. His disability appeared to be the sole motivation for the attack.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

THE PROBLEM WITH ILLEGAL GUNS

Mr. LEVIN. Mr. President, over the last 10 years, there have been more than 3.7 million crimes committed with firearms in this country. That is an average of 100 violent gun crimes every day, with almost 60 percent of these violent gun crimes occurring in our Nation's major cities.

America's major cities have been flooded with illegal guns. The underground market for guns is largely a product of the diversion of massive numbers of guns from licensed gun shops into the hands of criminals. A variety of sources supply the illegal market, including theft, unlicensed sellers who buy guns for the purpose of reselling them, corrupt Federal firearms licensees, and straw purchasers who buy guns for other unlicensed sellers, criminal users, and juveniles. Based on its own gun trafficking investigations, the Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF, has concluded that corrupt gun dealers are the source of the largest number of firearms diverted to the illegal market. In 1998, the ATF found that 56 percent of dealers and 30 percent of pawnbrokers who sold 50 or more guns, had Federal firearms violations. In addition, 18 percent of the dealers and 45 percent of the pawnbrokers had guns missing from their inventory.

Despite the fact that the ATF inspections often reveal multiple illegal acts by gun dealers, the revocation of a dealer's license is a rare and difficult event. In 2003, the ATF conducted 1,812 inspections that uncovered regulatory violations with an average of over 80 violations per dealer. Despite this large number of dealers with multiple violations, the ATF issued only 54 notices of license revocation that year.

I have consistently supported commonsense legislation to help stop the flow of guns to the black market. Unfortunately, the failure of Congress to act on several commonsense bills has allowed criminals and terrorists continued easy access to guns. In addition to endangering our families and communities here in the United States, congressional inaction may also be helping to fuel international trafficking of powerful firearms.

If we make it harder for criminals to get guns, there will be fewer gun violence victims. By helping to keep guns out of the wrong hands, we can save lives.

FOREIGN INVESTMENT AND NATIONAL SECURITY ACT

Mr. SANTORUM. Mr. President, I rise today to support S. 3549, the Foreign Investment and National Security Act of 2006, because it makes great strides in modernizing the Committee on Foreign Investment in the United States, CFIUS, process. I firmly believe that national security is paramount, and confidence must be restored in the CFIUS screening process. CFIUS creates a careful balance between national security and the economic benefits of foreign investment. As such, we must protect our national security while not inadvertently and unnecessarily hurting this job-creating investment.

Over 5 million Americans work for insourcing companies with a payroll of nearly $318 billion. In my State of Pennsylvania, 227,700 people owe their jobs to a foreign-based company. Pennsylvania is a State that has worked hard to attract international companies like Mack Trucks Inc., SAP America, and Sony. That effort has yielded positive results.

With regard to S. 3549, there are a few unresolved issues that were raised in the Banking Committee process that could raise barriers to beneficial foreign investment. While the bill passed the committee unanimously, with my support, it was understood that a couple of outstanding concerns would be addressed before the bill would be signed into law. At this time, these concerns remain.

Two provisions in particular that could have a negative impact on positive foreign direct investment that creates jobs, fosters innovation and sustains U.S. manufacturing are: (1) the extension of the initial 30-day review period to allow an additional 30-day review and (2) the creation of a congressional reporting requirement for individual regulatory filings for each stage of the review process.

Mr. President, I hope that these concerns will be addressed in conference. While I support CFIUS reform, I believe there are issues that need to be addressed prior to passing a final bill to ensure that Congress takes a reasonable approach to reforming this process. I look forward to working with Chairman SHELBY to resolve these issues.

HONORING BOB FELLER

Mr HARKIN. Mr. President, I rise today in support of Senate Concurrent Resolution 110, sponsored by my friend, the senior Senator from Ohio, which honors an American hero, Iowa's own Bob Feller.

Robert William Andrew Feller, better known to baseball fans as ''Bullet Bob'' or ''Rapid Robert,'' will forever be recognized for his talent, courage, and heart. Throughout his life, Feller has achieved tremendous success. Born on a farm in Van Meter, Iowa, in 1918, Feller began his baseball career playing American Legion, amateur and semi-pro baseball on fields across the State.

He signed a contract to pitch for the Cleveland Indians in 1935 at the age 16. In his first major league start in 1936 he struck out 15 batters, showing the entire league that he was not just a kid but a true talent that could play with the big names. As anticipated by fellow coaches, players, and fans, Feller only progressed. He was the first pitcher to win 20 or more games by the age of 21 and pitched the only opening day no-hitter in major league baseball history. At the height of his astounding career, Feller put his loyalty to his country above all and enlisted in the U.S. Navy 2 days after the Japanese attack on Pearl Harbor. While putting his big-time baseball career on hold and valiantly serving in the Armed Forces for nearly 4 years, Feller earned eight battle stars working primarily aboard the USS *Alabama* in the gunnery department.

After being discharged, Feller was ready to go back to the game he loved. Having not played for 4 years, there was much speculation that he would not be the recordbreaking pitcher he once was. That year, he proved they were wrong. His 1946 season was the most successful of Feller's career. Throwing pitches clocked as fast as 109 miles per hour, Feller completed 36 of the 42 games he started while compiling a 2.18 earned run average. He also pitched his second career no-hitter against the New York Yankees, pitched a shutout victory for the American League in the All Star Game, and, for good measure, saved four out of six games in relief for the Indians. Feller overwhelmingly led the American League that year in wins, shutouts, strikeouts, games pitched, and innings. In 1962, 6 years after his last season, Bob Feller was inducted into the Baseball Hall of Fame in recognition for his extraordinary abilities, on and off the field.

It is my honor today to stand in support of Senate Concurrent Resolution 110, commemorating the 60th anniversary of the 1946 season of Iowa's native son, Bob Feller and his heroic military service to the United States.

ABRAHAM LINCOLN STUDY ABROAD PROGRAM

Mr. COLEMAN. Mr. President, I am honored to join Senator DURBIN in introducing the Abraham Lincoln Study Abroad Act which focuses on the important issue of preparing future generations to live and work in an increasingly interconnected and complicated world. My colleague and I strongly believe that in order for the United States to effectively confront global challenges, to compete successfully in a global economy, and to lead responsibly in the world, we must dramatically increase the number of Americans gaining international experience through study abroad.

In 2004, Congress recognized the value of study abroad when it formed the Commission on the Abraham Lincoln Study Abroad Fellowship Program. The Commission issued a report in November 2005 calling for a national study abroad program to greatly increase and diversify the number of U.S. students participating in study abroad while at the same time addressing the institutional barriers which hinder many students from studying abroad. Again, the Senate recognized the significance of the study abroad experience when it declared 2006 as the ''Year of Study Abroad,'' and encouraged initiatives to promote and expand study abroad opportunities.

With this legislation, my colleague and I move this important agenda one step further by sponsoring a bill that will change the country. It will enable our students to graduate with skills

necessary to work effectively in today's global society by making study abroad an integral part of the undergraduate educational experience.

Today, only 1 percent of all enrolled undergraduate students spend time living and studying abroad for academic credit. And only approximately one-third of those students chose to study in locations outside Western Europe, even though an estimated 95 percent of the world's population growth will occur outside that area in the next 50 years. The percentages of minorities among individuals studying abroad are extremely low, and underrepresentative of the numbers of those students in the general student population.

Minnesota ranks third in the Nation for study abroad participation rates. During the 2003–2004 school year, 8073 students enrolled in Minnesotan colleges and universities studied abroad, which is a little less than 3 percent of the overall enrolled undergraduate student population in the State. I would like to see this number grow—study abroad opportunities will help make the next generation of Minnesotans and all Americans more competitive in the global marketplace.

The reality of the global environment commands that far more of our students study abroad, regardless of their field of study, ethnicity, socioeconomic status or gender, and that more of them study in nontraditional destinations. In order for graduates to be effective in the increasingly interconnected global society, they must better understand the broad world, not just a small part of it.

Study abroad should become the norm, not the exception for U.S. college students. It can only be good for our campuses, our communities and our Nation to have more U.S. students understanding more about the rest of the world.

ADDITIONAL STATEMENTS

TRIBUTE TO PERRY M. ZIMMERMAN

• Mrs. BOXER. Mr. President, I am pleased and honored to salute labor leader Perry Zimmerman, the distinguished business manager of the International Brotherhood of Electrical Workers, IBEW, Local 1245, and a vice president of the California Labor Federation, AFL–CIO. Perry is retiring after 5 years as IBEW Local 1245 business manager and more than 40 years of outstanding service to the labor community in California, Nevada, Oregon, Washington, and Idaho.

Perry Zimmerman began his career at Pacific Gas and Electric Company in 1962. During his 19 years there, he was an active union member, serving as a shop steward, unit chairman, and advisory council member.

In 1981, Perry joined the staff of IBEW Local 1245 as business representative, where he served members in Sacramento and the San Francisco Bay Area. After 11 years, he was promoted to assistant business manager and served area members in both the private and public sectors.

Perry was elected business manager/financial secretary of IBEW Local 1245 in 2001. He was reelected in 2004 and has held this post ever since. As the leader of more than 18,000 members working for over 50 employers and 100 contractors, Perry Zimmerman is the voice of energy and communication workforces in 5 Western States. During this time, he was also a vice president of the California Labor Federation, AFL–CIO.

Throughout his career, Perry has demonstrated great enthusiasm and compassion for his fellow workers. As business manager, Perry was committed to being in regular touch with members, informing them of leadership decisions and requesting their opinions. He has said this was his favorite part of his job.

After more than 40 years of service to working families, Perry Zimmerman deserves some time off. Along with his friends and admirers throughout the Western United States, I wish him a long and pleasurable retirement.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

At 9:31 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 1496. An act to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps.

H.R. 4019. An act to amend title 4 of the United States Code to clarify the treatment of self-employment for purposes of the limitation on State taxation of retirement income.

H.R. 5865. An act to amend section 1113 of the Social Security Act to temporarily increase funding for the program of temporary assistance for United States citizens returned from foreign countries, and for other purposes.

H.J. Res. 86. An act approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The enrolled bills and joint resolution were subsequently signed by the President pro tempore (Mr. STEVENS).

At 11:38 a.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. 5682. An act to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India.

H.R. 5877. An act to amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 400. Concurrent resolution expressing the sense of Congress that the Government of Venezuela should actively support strategies for ensuring secure airport facilities that meet international certifications to prevent trafficking of controlled substances, narcotics, and laundered money.

At 12:47 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. 2730. An act to authorize funding for eligible joint ventures between United States and Israeli businesses an academic persons, to establish the International Energy Advisory Board, and for other purposes.

H.R. 5319. An act to amend the Communications Act of 1934 to require recipients of universal service support for schools and libraries to protect minors from commercial social networking websites and chat rooms.

H.R. 5337. An act to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes.

H.R. 5611. An act to authorize a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2730. An act to establish a grant program to fund eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5319. An act to amend the Communications Act of 1934 to require recipients of universal service support for schools and libraries to protect minors from commercial social networking websites and chat rooms; to the Committee on Commerce, Science, and Transportation.

H.R. 5611. An act to provide for the establishment of a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 400. Concurrent resolution expressing the sense of Congress that the Government of Venezuela should actively support strategies for ensuring secure airport facilities that meet international certifications to prevent trafficking of controlled substances, narcotics, and laundered money; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5337. An act to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes.

H.R. 5682. An act to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India.

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–7657. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Gypsy Moth; Regulated Articles'' ((RIN0579–AB55) (Doc. No. 00–067–2)) received on July 21, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7658. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Asian Longhorned Beetle; Removal of Quarantined Area in Illinois'' (Doc. No. APHIS–2006–0105) received on July 21, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7659. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Chronic Wasting Disease Herd Certification Program and Interstate Movement of Farmed or Captive Deer, Elk, and Moose'' ((RIN0579–AB35) (Doc. No. 00–108–3)) received on July 24, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7660. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Imported Fire Ant; Addition of Counties in Arkansas and Tennessee to the List of Quarantined Areas'' (Doc. No. APHIS–2006–0080) received on July 26, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7661. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2-Propenoic Acid, 2-Methl-, Polymer with Butyl 2-Propenoate, Methyl 2-Methyl-Propenoate, Methyl 2-Propenoate and 2-Propenoic Acid, Graft, Compound with 2-Amino-2Methyl-1-Propanol; Tolerance Exemption'' (FRL No. 8077–4) received on July 25, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7662. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2-Propenoic, 2-Methyl-, Polymers with Ethyl Acrylate and Polyethylene Glycol Methylacrylate C18–22alkyl Ethers; Tolerance Exemption'' (FRL No. 8078–3) received on July 25, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7663. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Revisions of Delegations of Authority'' (RIN0560–AE51) received on July 26, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7664. A communication from the Acting Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to conducting a standard competition of the Laundry and Dry Cleaning Operations function performed by civilian personnel in the Department of the Navy for possible performance by private contractors; to the Committee on Armed Services.

EC–7665. A communication from the Acting Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report of the beginning of preliminary planning under Office of Management and Budget Circular A–76 for the possible competition of Naval Facilities Engineering Command recycling functions; to the Committee on Armed Services.

EC–7666. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, authorization of Rear Admiral (lower half) David J. Dorsett, United States Navy, to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–7667. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of (4) officers authorized to wear the insignia of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–7668. A communication from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Transitional Assistance Management Program; Early Eligibility for TRICARE for Certain Reserve Component Members'' (RIN0720–AA90) received on July 26, 2006; to the Committee on Armed Services.

EC–7669. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–7670. A communication from the Under Secretary for Domestic Finance, Department of the Treasury, transmitting, pursuant to law, the annual report on the Resolution Funding Corporation for the calendar year 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–7671. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled ''No. 2006–10: Data Reporting Requirements for the Federal Home Loan Banks'' (RIN3069–AB28) received on July 26, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7672. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Third-Party Servicing of Indirect Vehicle Loans'' (12 CFR Parts 701 and 741) received on July 26, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7673. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Department's Annual Report for Fiscal Year 2005 entitled ''Outer Continental Shelf Lease Sales: Evaluation of Bidding Results''; to the Committee on Energy and Natural Resources.

EC–7674. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, a report entitled ''Plutonium Storage at the Department of Energy's Savannah River Site''; to the Committee on Energy and Natural Resources.

EC–7675. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Computer Security; Access to Information on Department of Energy Computers and Computer Systems'' (RIN1992–AA27) received on July 24, 2006; to the Committee on Energy and Natural Resources.

EC–7676. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Promoting Transmission Investment through Pricing Reform'' (Docket No. RM06–4–000) received on July 24, 2006; to the Committee on Energy and Natural Resources.

EC–7677. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Rate Regulation of Certain Natural Gas Storage Facilities'' (Docket Nos. RM05–23–000 and AD04–11–000) received on July 26, 2006; to the Committee on Energy and Natural Resources.

EC–7678. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''The Superfund Innovative Technology Evaluation Program: Annual Report to Congress FY 2003''; to the Committee on Environment and Public Works.

EC–7679. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities'' ((RIN2060–AK18) (FRL No. 8200–2)) received on July 25, 2006; to the Committee on Environment and Public Works.

EC–7680. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—August 2006'' (Rev. Rul. 2006–39) received on July 21, 2006; to the Committee on Finance.

EC–7681. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Excise Taxes With

Respect To Prohibited Tax Shelter Transactions to Which Tax-Exempt Entities Are Parties and Related Disclosure Requirements'' (Notice 2006–65) received on July 21, 2006; to the Committee on Finance.

EC–7682. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Reporting of Gross Proceeds Payments to Attorneys'' (RIN1545–AW72) received on July 21, 2006; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CRAIG, from the Committee on Veterans' Affairs, without amendment:

S. 2562. A bill to increase, effective as of December 1, 2006 , the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans (Rept. No. 109–296).

By Mr. CRAIG, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2694. A bill to amend title 38, United States Code, to remove certain limitation on attorney representation of claimants for veterans benefits in administrative proceedings before the Department of Veterans Affairs, and for other purposes (Rept. No. 109–297).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. COLLINS for the Committee on Homeland Security and Governmental Affairs.

*Jennifer M. Anderson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Anna Blackburne-Rigsby, of the District of Columbia, to be Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

*Phyllis D. Thompson, of the District of Columbia, to be Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

*Mickey D. Barnett, of New Mexico, to be a Governor of the United States Postal Service for a term expiring December 8, 2013.

*Katherine C. Tobin, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2012.

*Ellen C. Williams, of Kentucky, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2007.

*Paul A. Denett, of Virginia, to be Administrator for Federal Procurement Policy.

By Mr. SPECTER for the Committee on the Judiciary.

Kimberly Ann Moore, of Virginia, to be United States Circuit Judge for the Federal Circuit.

R. Alexander Acosta, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

Steven G. Bradbury, of Maryland, to be an Assistant Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 3745. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for certain employer-provided retiree health care coverage, and for other purposes; to the Committee on Finance.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3746. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to make grants to facilitate the establishment of the National Ag Science Center in Stanislaus County, California; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER (for himself, Mr. KERRY, Mr. KENNEDY, and Mr. SARBANES):

S. 3747. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to provide access to Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a refundable and advanceable credit against income tax for payment of such premiums, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 3748. A bill to require the Secretary of the Army to publish a supplement to the major rehabilitation report for the Herbert Hoover Dike system, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN:

S. 3749. A bill to suspend temporarily the duty on certain parts and accessories for measuring or checking instruments; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3750. A bill to suspend temporarily the duty on certain printed circuit assemblies for measuring equipment for telecommunications; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3751. A bill to suspend temporarily the duty on certain subassemblies for measuring equipment for telecommunications; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3752. A bill to liquidate or reliquidate certain entries of frozen fish fillets; to the Committee on Finance.

By Mr. BAUCUS:

S. 3753. A bill to provide emergency assistance to agricultural producers that have incurred losses during calendar year 2006 due to fires; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARTINEZ (for himself and Mr. COLEMAN):

S. 3754. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER:

S. 3755. A bill to establish the Niagara Falls National Heritage Area in the State of New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 3756. A bill to study and improve the air quality inside school buses, and for other purposes; to the Committee on Environment and Public Works.

By Mr. OBAMA (for himself and Mr. DURBIN):

S. 3757. A bill to designate the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the ''Katherine Dunham Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REED (for himself, Mr. ROCKEFELLER, Mr. KENNEDY, Mr. BINGAMAN, and Mr. KERRY):

S. 3758. A bill to establish certain requirements relating to the continuation of the Survey of Income and Program Participation; to the Committee on Commerce, Science, and Transportation.

By Mr. BURNS:

S. 3759. A bill to name the Armed Forces Readiness Center in Great Falls, Montana, in honor of Captain William Wylie Galt, a recipient of the Congressional Medal of Honor; to the Committee on Armed Services.

By Mr. KYL (for himself and Mr. DEWINE):

S. 3760. A bill to prohibit the suspension of royalties under certain circumstances and to clarify the authority to impose price thresholds for certain leases; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON (for himself, Mr. CHAMBLISS, and Mr. ROCKEFELLER):

S. Res. 541. A resolution congratulating Spelman College on its 125th anniversary; considered and agreed to.

By Mr. CRAPO (for himself and Mr. DORGAN):

S. Res. 542. A resolution supporting the goals and ideas of National Peripheral Arterial Disease Awareness Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LOTT:

S. Res. 543. A resolution temporarily suspending the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery; considered and agreed to.

ADDITIONAL COSPONSORS

S. 146

At the request of Mr. INOUYE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 146, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 267

At the request of Mr. CRAIG, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of S. 267, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 489

At the request of Mr. ALEXANDER, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 489, a bill to amend chapter 111 of title 28, United States Code,

to limit the duration of Federal consent decrees to which State and local governments are a party, and for other purposes.

S. 537

At the request of Mr. BINGAMAN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 537, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 914

At the request of Mr. ALLARD, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 914, a bill to amend the Public Health Service Act to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 1263

At the request of Mr. BOND, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1263, a bill to amend the Small Business Act to establish eligibility requirements for business concerns to receive awards under the Small Business Innovation Research Program.

S. 1537

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1537, a bill to amend title 38, United States Code, to provide for the establishment of Parkinson's Disease Research Education and Clinical Centers in the Veterans Health Administration of the Department of Veterans Affairs and Multiple Sclerosis Centers of Excellence.

S. 1774

At the request of Mr. CORNYN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1774, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Heart, Lung, and Blood Institute with respect to research on pulmonary hypertension.

S. 2048

At the request of Mr. OBAMA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2048, a bill to direct the Consumer Product Safety Commission to classify certain children's products containing lead to be banned hazardous substances.

S. 2354

At the request of Mr. NELSON of Florida, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2354, a bill to amend title XVIII of the Social Security Act to reduce the coverage gap in prescription drug coverage under part D of such title based on savings to the Medicare program resulting from the negotiation of prescription drug prices.

S. 2491

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. DOMENICI) 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. 2590

At the request of Mr. COBURN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2590, a bill to require full disclosure of all entities and organizations receiving Federal funds.

S. 2707

At the request of Mr. SUNUNU, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2707, a bill to amend the United States Housing Act of 1937 to exempt qualified public housing agencies from the requirement of preparing an annual public housing agency plan.

S. 2791

At the request of Mr. STEVENS, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2791, a bill to amend title 46 and 49, United States Code, to provide improved maritime, rail, and public transportation security, and for other purposes.

S. 3523

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 3523, a bill to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending.

S. 3535

At the request of Mr. TALENT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3535, a bill to modernize and update the National Housing Act and to enable the Federal Housing Administration to use risk based pricing to more effectively reach underserved borrowers, and for other purposes.

S. 3677

At the request of Mr. BINGAMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3677, a bill to amend title XVIII of the Social Security Act to eliminate the in the home restriction for Medicare coverage of mobility devices for individuals with expected long-term needs.

S. 3681

At the request of Mr. DOMENICI, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 3681, a bill to amend the Comprehensive Environmental Response Compensation and Liability Act of 1980 to provide that manure shall not be considered to be a hazardous substance, pollutant, or contaminant.

S. 3722

At the request of Mr. LUGAR, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 3722, a bill to authorize the transfer of naval vessels to certain foreign recipients.

S.J. RES. 7

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S.J. Res. 7, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. CON. RES. 84

At the request of Mr. KYL, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding a free trade agreement between the United States and Taiwan.

S. CON. RES. 97

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. Con. Res. 97, a concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

S. RES. 359

At the request of Ms. LANDRIEU, the names of the Senator from North Carolina (Mr. BURR) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S. Res. 359, a resolution concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3746. A bill to authorize the Secretry of the Interior and the Secretary of Agriculture to make grants to facilitate the establishment of the National Ag Science Center in Stanislaus County, California; to the committee on Agriculture, Nutrition, and Forestry.

Mrs. BOXER. Mr. President, I rise today with my colleague Senator FEINSTEIN to introduce a bill authorizing the Secretaries of Agriculture and Interior to make grants to facilitate the establishment of the National Ag Science Center in Stanislaus County, California. This bill will create a facility that will help teach visitors from all across the country about the significance of agriculture in our Nation's culture and economy, the importance of science in agriculture, and California's role as the Nation's preeminent agricultural State.

This bill will designate $10 million in total grant funding to help fund construction costs of the center, with the

federal share limited to 33 percent of the total cost. I am happy to report that the center is making great progress on raising private donations to complete its share of the construction funding.

The center will help promote California's place as the Nation's most diverse and productive agricultural State. With the farmers, growers, and ranchers of our State producing over 350 different crops and commodities, and nearly 80,000 active farming operations, agriculture is one of California's most important industries. From our vineyards and wineries, to the almond, stone fruit, strawberry, cotton, and rice farms, to the citrus groves of central and southern California, to the dairy and cattle ranches across the State, farming and agriculture are ubiquitous in California and impact all of our communities in an important way.

The farms, large and small, produce half of America's produce and are exported all across the globe, providing billions of dollars to our economy and balance of trade.

The center's mission will place an emphasis on agricultural science education, with interactive, high-technology exhibits designed to foster an understanding of the importance of agriculture, and how science plays an essential role in the farm-to-food process. There will also be a strong focus on highlighting the important relationship between agriculture, conservation, and the environment.

I would also like to thank Representatives CARDOZA, MATSUI and RADANOVICH for introducing a companion bill in the House of Representatives.

By Mr. ROCKEFELLER (for himself, Mr. KERRY, Mr. KENNEDY, and Mr. SARBANES):

S. 3747. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to provide access to Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a refundable and advanceable credit against income tax for payment of such premiums, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, in 2004, 45.8 million Americans were without health insurance. That is 15.7 percent of our population, an increase of over 800,000 people in just one year. Yet this number doesn't even reflect the true extent of the problem, as at least another 16 million adults and children are underinsured. This means that even though they have insurance, they are not able to access quality health care when they need it because of high deductibles, soaring co-payments, and unreasonable health benefit restrictions.

As I have said many times before, it is unacceptable that a world superpower such as ours has so many people that are uninsured. Lacking or having inadequate health insurance has been shown over and over to be associated with poorer health and quality of life. The uninsured are over 40 percent more likely to be diagnosed with late stage breast and prostate cancers and more than twice as likely to be diagnosed with late stage melanoma. They are hospitalized more often for avoidable conditions such as pneumonia and uncontrolled diabetes.

The Institute of Medicine estimates that 18,000 people die every year because they lack health coverage. Thousands more suffer unnecessary pain and disability because they can't get the health care they need when they need it. We cannot allow so many of our fellow citizens to just fall through the cracks of a deficient health care system. We can and must do better.

I have introduced several bills to this Congress to provide greater access to health insurance coverage in this country. These bills include the MediKids Health Insurance Act to improve coverage for kids, the TAA Health Coverage Improvement Act to offer insurance options to trade displaced workers, and the Small Employers Health Benefits Plan Act to offer more affordable health care to small business owners and their employees. Today, I join Senators KERRY, KENNEDY, and SARBANES in introducing yet another key piece of legislation to reduce the number of uninsured Americans—the Medicare Early Access Act of 2006.

The Medicare Early Access Act of 2006, which has also been introduced in the House of Representatives by Congressman PETE STARK, provides a new coverage option for our Nation's near elderly. This legislation would allow people aged 55 through 64, who are not otherwise eligible for coverage under a group health plan or Federal health insurance program, to buy into Medicare. It also provides a 75 percent tax credit for Medicare early access premiums to make coverage more affordable for the broadest range of near elderly individuals.

Insurance coverage for the near-elderly, the 29 million people between the ages of 55 and 64, is particularly critical. The near elderly are the fastest growing group of uninsured Americans—almost one in seven are uninsured. And, we know the risk of serious illness for adults increases with age, requiring more frequent contact with the health care system and the related financial obligations. Over 50 percent of near-elderly Americans have at least one serious health problem, including diabetes, cancer, chronic lung disease, heart problems, or stroke. Without adequate access to health care, these individuals typically delay care until more serious complications develop that could require high-cost hospital care or even lead to premature death.

With job layoffs, early retirement, and the dwindling number of employers offering health insurance, the near-elderly now face greater hurdles to maintaining adequate health care coverage. In March of this year, a major American automotive company offered 113,000 of its employees up to $140,000 to leave the company with no claims to future benefits. It is predicted that more large employers will follow suit in the near future, while other companies continue to seek bankruptcy court approval to set aside long-standing benefit programs. The greatest impact of these types of buyouts and benefit restrictions will be on the near-elderly age group, who do not yet have the safety net of Medicare.

Some of my colleagues might argue that Medicare buy-in legislation is unnecessary because the near elderly can get coverage in the individual market. I would say to my colleagues that the near elderly have an extremely difficult time buying insurance in the individual market. Because this group tends to have pre-existing chronic illnesses, private insurers often deny them coverage or offer them coverage at unaffordable rates. So the individual market actually fails to be an option for most near elderly individuals and they bear the risk of forgoing coverage altogether.

Lack of insurance and gaps in coverage affect us all, not just the uninsured person in need of care. When an uninsured person goes to a hospital, clinic, or emergency room and cannot pay for the cost of his or her care, the unpaid balances are passed on to those who have insurance or other means to pay. Insurance rates go up as do our taxes to support public programs. Whether through higher insurance premiums or taxes supporting our public insurance programs, we all pay, one way or another, for not doing more to address the problem of the uninsured. Failure to achieve a solution now to this burgeoning problem will surely cost us more if we wait, both in human life and in dollars.

The Medicare Early Access Act of 2006 may not be the total solution to solving America's crisis of the uninsured, but it is an earnest attempt to address the problem of the health care access for one of the most vulnerable segments of our population-the near elderly. These individuals often have the greatest need and the least choice when it comes to affordable health insurance coverage. By offering the near-elderly access to comprehensive health benefits through Medicare, we can hopefully reduce the long-term costs to our health care system. I urge my colleagues to join us in taking this important step toward making health insurance and personal dignity a reality for all Americans.

By Mr. OBAMA (for himself and Mr. DURBIN):

S. 3757. A bill to designate the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the ''Katherine Dunham Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

Mr. OBAMA. Mr. President, today, I am introducing legislation, along with Senator DURBIN, to honor the lifetime achievements and legacy of one of Illinois' most treasured figures, Katherine Dunham, who passed away on May 21, 2006. Our bill would name the post office on Missouri Avenue in East St. Louis, the ''Katherine Dunham Post Office Building.''

Katherine Dunham was born in Glen Ellyn, IL, on June 22, 1909, to Albert Millard Dunham and Fanny June Taylor. Her father was a descendant of slaves from Madagascar and West Africa, and her mother was French Canadian. Her diverse background would foreshadow her lifelong commitment to exploring and teaching the history of culture around the world.

Katherine Dunham's trailblazing life began at an early age when she entered the University of Chicago as one of the first African Americans to attend the school. She eventually earned bachelor, master's and doctoral degrees in anthropology, and participated in the Rosenwald Fellowship. Under this program she completed work on Caribbean and Brazilian dance anthropology, the first time significant work was done in the field. In 1931, Dunham opened her first dance school, which would become one of the most successful dance programs in American and European theater, and eventually led to her lead role in musicals, operas, and cabarets throughout the world.

Dunham first appeared in London in June 1948 with her company in ''Caribbean Rhapsody'' as part of the first tour to bring black dance as an art form, and American modern dance to the European public. After her return to the U.S., Dunham continued to dance, choreograph and direct on Broadway with her production, ''Katharine Dunham and Her Company and Bamboche.''

When ''Aida'' premiered in 1963, Dunham became the first African American to choreograph for the Metropolitan Opera, further establishing her stature in the dance community. Beginning in 1940, Dunham also appeared in several films, including, ''Carnival of Rhythm'', ''Cabin in the Sky'', ''Star Spangled Rhythm'', ''Stormy Weather'', and ''Casbah''. Dunham also produced the choreography for ''Pardon My Sarong''.

What's more, Katherine Dunham's legacy doesn't stop on the dance stage. She used her notoriety to focus the public's attention to social injustices around the world. At the age of 82, Ms. Dunham undertook a 47-day hunger strike in 1993, which helped shift public awareness to the international relationship between America and Haiti, ultimately assisting in the return of Haiti's first democratically elected President.

In 1967, Dunham moved to East St. Louis, where she helped open a performing arts training center and established a dance anthropology program at the innercity branch of southern Illinois University that was eventually named the Katherine Dunham Centers for the Arts and Humanities.

Katherine Dunham was a woman far ahead of her time and her contributions earned her the recognition and admiration of her peers. Among her many honors are the Presidential Medal of Arts, Kennedy Center Honors, French Legion of Honor, Southern Cross of Brazil, Grand Cross of Haiti, NAACP Lifetime Achievement Award, Lincoln Academy Laureate, and the Urban League's Lifetime Achievement Award. Dunham was one of 75 women whose lives were celebrated in the book, ''I Have A Dream''.

At one of the major highlights of her career, Dunham received the Albert Schweitzer Music Award ''for a life's work dedicated to music and devoted to humanity,'' in front of a packed house at New York's Carnegie Hall.

I ask my colleagues to join me in celebrating the life and legacy of Katherine Dunham and her efforts to bring the cultures of the world to the community of East St. Louis, by naming the post office on Missouri Avenue in East St. Louis, the ''Katherine Dunham Post Office Building.''

Mr. DURBIN. Mr. President, post offices are often designated in honor of individuals who have made valuable contributions to their Nation. Today, I am pleased to honor Ms. Katherine Dunham, the world-renowned dancer, choreographer, teacher, and social activist, by cosponsoring legislation that designates the U.S. Post Office at 950 Missouri Avenue in East St. Louis, IL, as the ''Katherine Dunham Post Office Building.''

Born in Chicago and raised in Joliet, IL, Ms. Dunham began dancing while in high school. She became one of the first African Americans to attend the University of Chicago and later earned her bachelor's and master's degrees in anthropology. In 1938, Dunham was hired as dance director for Chicago's Federal Theatre Project, where her fiery style would mark her work for several decades.

In the spring of 1938, Ms. Dunham formed her own company, the Dunham Dance Company, and began to explore the connection of Caribbean dance to its African roots. In 1940, the company traveled to New York and performed a program titled ''Tropics and Le Jazz Hot.'' New York Times critic John Martin said: ''Her performance may very well become a historic occasion.'' Dunham's company undertook a national tour and performed on Broadway and in Hollywood. In 1945, Dunham opened the Katherine Dunham School of Arts and Research in New York. That same year, the company toured Europe with a program called ''Caribbean Rhapsody,'' which was already a success in the United States. It was the first time Europe had seen Black dance as an art form and also the first time that special elements of American modern dance appeared outside America. In 1963, Dunham secured her place in artistic history by becoming the first black choreographer at the Metropolitan Opera, where she helped stage the new production of ''Aida.''

Dunham shut down her dance company in 1965 to become adviser to the cultural ministry of Senegal. She attended the first World Festival of Negro Arts in Senegal as an official representative from the United States.

In 1967, Dunham opened the Performing Arts Training Center, an African-American cultural center for local youngsters, in East St. Louis, IL. She later expanded the program to include senior citizens.

Except for a brief appearance in 1965, Dunham did not perform regularly after 1962 as she focused on her choreography. One of her major works was choreographing and directing Scott Joplin's opera ''Treemonisha'' in 1972.

In February 1992, at the age of 82, Dunham again became the subject of international attention when she began a 47-day fast at her East St. Louis home. Because of her age, her involvement with Haiti, and the respect accorded her as an activist and artist, Dunham became the center of a movement that coalesced to protest the United States' deportations of Haitian boat-refugees fleeing to the United States after the military overthrow of Haiti's democratically-elected President Jean-Bertrand Aristide. She agreed to end her fast only after Aristide visited her and personally requested her to stop.

Ms. Dunham is the recipient of many coveted awards, including the Alvin Ailey American Dance Theater Dance Pioneer Award, the National Medal of Arts, Kennedy Center Honors, the French Legion of Honor, the Southern Cross of Brazil, the Grand Cross of Haiti, the NAACP Lifetime Achievement Award, the Lincoln Academy Laureate, the Urban League's Lifetime Achievement Award, and numerous honorary degrees. She was also one of 75 women whose lives were celebrated in the book, ''I Have a Dream''.

I ask my colleagues to join me in honoring Ms. Dunham's humanitarian, artistic, and intellectual contributions to the world of dance. She revolutionized American dance and used her fame to bring public attention to social injustices at home and abroad. It is appropriate to express our appreciation to Katherine Dunham for her service to the East St. Louis community and to the world by naming an East St. Louis post office in her honor.

By Mr. REED (for himself, Mr. ROCKFELLER, Mr. KENNEDY, Mr. BINGAMAN, and Mr. KERRY).

S. 3758. A bill to establish certain requirements relating to the continuation of the Survey of Income and Program Participation; to the Committee on Commerce, Science, and Transportation.

Mr. REED. Mr. President. I am joined by Mr. ROCKEFELLER, Mr. KENNEDY, Mr. BINGAMAN, and Mr. KERRY in introducing important legislation regarding

the Survey of Income and Program Participation, SIPP. This legislation is also being introduced in the other body by Mrs. MALONEY.

The SIPP is the only large-scale longitudinal survey that provides data for evaluating the effectiveness of programs like Social Security, Medicaid, unemployment insurance, food stamps, and Temporary Assistance for Needy Families, TANF. There is no other survey that provides the richness and detail of the data that the SIPP collects. The survey provides essential information on the extent to which programs meet families' basic needs and promote upward mobility.

Unfortunately, the President, in his fiscal year 2007 budget, proposed the elimination of the SIPP, followed by a redesign that would not be ready until 2009 at the earliest. In the meantime, there would be an irretrievable loss of data.

By eliminating the SIPP, we not only abandon significant research investments by government and private researchers but we would also lose the ability to examine family outcomes over time. Without access to the SIPP's consistent time-series data, we will have to wait years, if not decades, to understand the implications of current policy decisions. Researchers and policymakers would no longer have an accurate dynamic picture of living standards in America.

It is important that we create a process to ensure that we do not lose valuable resources for assessing program effectiveness and economic well-being. As such, our legislation would create a SIPP Commission whose members would be required to review any proposals to change or eliminate the SIPP. This would allow for necessary input from users of the SIPP. The bill would also prevent the administration from unilaterally discontinuing or changing the survey.

Mr. President, this survey helps Congress to make good policy choices and to be good stewards of American tax dollars. Proposals to cut or eliminate this survey need to be taken seriously and considered carefully.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

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

SECTION 1. RESTRICTIONS.

The Secretary of Commerce may not—

(1) discontinue the Survey of Income and Program Participation,

(2) make any change in the design or content of such Survey, or

(3) allow any of the foregoing,

unless the discontinuation or change involved has first been approved in accordance with section 2.

SEC. 2. PROPOSED ACTIONS.

(a) IN GENERAL.—Whenever in the judgment of the Secretary of Commerce it becomes necessary to discontinue the Survey of Income and Program Participation or to make any change in the design or content of the Survey of Income and Program Participation, he shall prepare a written proposal under this subsection. Such proposal—

(1) shall include—

(A) a description of the specific actions proposed to be taken;

(B) the date or schedule for their proposed implementation; and

(C) the reasons or justification for each proposed action; and

(2) shall be submitted by the Secretary of Commerce to the SIPP Commission (established by section 3) in such time, form, and manner as the Commission may require.

(b) CONSIDERATION AND DECISION.—The SIPP Commission shall promptly consider any proposal received under subsection (a) and, after appropriate deliberation, shall transmit its decision to approve or disapprove such proposal to the Secretary of Commerce in timely fashion. Any such decision shall be in writing and shall include a statement of reasons and justification.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established a commission to be known as the ''Commission on the Survey of Income and Program Participation'' (in this Act referred to as the ''SIPP Commission'' or the ''Commission'').

(b) COMPOSITION.—The Commission shall be composed of—

(1) the Director of the Office of Management and Budget, who shall serve ex officio;

(2) 1 member from the Department of Agriculture, who shall be appointed by the Secretary of Agriculture;

(3) 1 member from the Department of Labor, who shall be appointed by the Secretary of Labor;

(4) 1 member from the Department of Energy, who shall be appointed by the Secretary of Energy;

(5) 1 member from the Department of Health and Human Services, who shall be appointed by the Secretary of Health and Human Services;

(6) 1 member from the Social Security Administration, who shall be appointed by the Commissioner of Social Security;

(7) 1 member from the Bureau of the Census, who shall be appointed by the Secretary of Commerce in consultation with the Director of the Census; and

(8) 2 members from the National Academy of Sciences, who shall be appointed by the Director of the Office of Management and Budget from among individuals recommended by the Council of the National Academy of Sciences.

All appointments to the Commission shall be made from among social scientists and statisticians who have experience analyzing longitudinal household data on economic well-being and participation in government programs.

(c) TERMS OF APPOINTEES.—

(1) IN GENERAL.—Except as provided in paragraph (2), each member who is appointed to the Commission shall be appointed for a term of 2 years.

(2) VACANCIES.—

(A) IN GENERAL.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

(B) SERVICE AFTER TERM ENDS.—A member may serve after the expiration of that member's term until a successor has taken office.

(C) MANNER OF APPOINTMENT.—A vacancy among any of the appointed members shall be filled in the manner in which the original appointment was made.

(d) CHAIRMAN.—The Director of the Office of Management and Budget shall serve as Chairman of the Commission.

(e) FUNCTIONS.—

(1) IN GENERAL.—It shall be the function of the Commission to consider and act on any proposal relating to the Survey of Income and Program Participation (described in section 2(a)) in accordance with section 2(b).

(2) NONDELEGABLE FUNCTIONS.—The functions of the Director of the Office of Management and Budget under this Act shall be nondelegable.

(f) PROCEDURES.—The Commission shall meet at the call of the Chairman of the Commission. A majority of the members of the Commission who are eligible to vote shall constitute a quorum. All members except those under paragraphs (1) and (8), respectively, of subsection (b) shall be eligible to vote.

(g) COMPENSATION.—Members of the Commission shall serve as such without pay, but shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons serving intermittently in Government service are allowed travel expenses under section 5703 of title 5, United States Code.

SEC. 4. EFFECTIVE DATE.

This Act shall take effect as of the date of the enactment of this Act or September 30, 2006, whichever is earlier.

By Mr. BURNS:

S. 3759. A bill to name the Armed Forces Readiness Center in Great Falls, Montana, in honor of Captain William Wylie Galt, a recipient of the Congressional Medal of Honor; to the Committee on Armed Services.

Mr. BURNS. Mr. President, I rise today to pay tribute to the Galt family from my home State of Montana. The Galt family first came to Montana in 1910 settling in Judith Basin County. They have been leaders in their communities ever since.

One member of the Galt family paid the ultimate sacrifice for his country at the young age of 24. U.S. Army CPT William Wylie Galt was awarded the Medal of Honor posthumously for his brave actions in 1944. The Medal of Honor is the highest award for valor in action against an enemy force that can be bestowed upon an individual serving in the armed services of the United States.

Captain Galt's citation reads:

For conspicuous gallantry and intrepidity above and beyond the call of duty. Capt. Galt, Battalion S3, at a particularly critical period following 2 unsuccessful attacks by his battalion, of his own volition went forward and ascertained just how critical the situation was. He volunteered, at the risk of his life, personally to lead the battalion against the objective. When the lone remaining tank destroyer refused to go forward, Capt. Galt jumped on the tank destroyer and ordered it to precede the attack. As the tank destroyer moved forward, followed by a company of riflemen, Capt. Galt manned the .30-caliber machinegun in the turret of the tank destroyer, located and directed fire on an enemy 77mm. anti-tank gun, and destroyed it. Nearing the enemy positions, Capt. Galt stood fully exposed in the turret, ceaselessly firing his machinegun and tossing hand grenades into the enemy zigzag series of trenches despite the hail of sniper and machinegun bullets ricocheting off the tank destroyer. As the tank destroyer moved, Capt. Galt so maneuvered it that 40 of the enemy were

trapped in one trench. When they refused to surrender, Capt. Galt pressed the trigger of the machinegun and dispatched every one of them. A few minutes later an 88mm shell struck the tank destroyer and Capt. Galt fell mortally wounded across his machinegun. He had personally killed 40 Germans and wounded many more. Capt. Galt pitted his judgment and superb courage against overwhelming odds, exemplifying the highest measure of devotion to his country and the finest traditions of the U.S. Army.

In 2005, the Base Realignment and Closure Commission, BRAC, decided to permanently close Galt Hall U.S. Army Reserve Center on Gore Hill in Great Falls, MT, and relocate units to a new Armed Forces Readiness Center near Malmstrom Air Force Base across town. The U.S. Army Reserve Center on Gore Hill was dedicated to Captain Galt in 1958.

I believe it is a fitting tribute to name the U.S. Armed Forces Readiness Center in Great Falls, MT, ''The Captain William Wylie Galt Great Falls Armed Forces Readiness Center'' to carry on the history of this brave Montanan.

Captain Galt may be gone, but with the naming of the Armed Forces Readiness Center in Great Falls after him, the memory of this true hero will live on and remind us that freedom is never free.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 541—CONGRATULATING SPELMAN COLLEGE ON ITS 125TH ANNIVERSARY

Mr. ISAKSON (for himself, Mr. CHAMBLISS, and Mr. ROCKEFELLER) submitted the following resolution, which was considered and agreed to:

Whereas, in 1881, Spelman College was established by Sophia B. Packard and Harriet E. Giles, school teachers and Baptist missionaries, in Atlanta, Georgia, for the purpose of educating African-American women and girls;

Whereas as a result of the benevolence of John D. Rockefeller, Sr., and Laura Spelman Rockefeller, the name of the institution was changed from ''Atlanta Baptist Female Seminary'' to ''Spelman Seminary'' in honor of the Spelman family;

Whereas the curriculum expanded to include high school and college classes, and the seminary conferred its first high school diplomas in 1887, and its first college degrees in 1901;

Whereas in 1924, Spelman Seminary officially became Spelman College and grew to become a leading undergraduate institution for African-American women;

Whereas Spelman College was ranked among the top 75 Best Liberal Arts Colleges according to U.S. News & World Report, 2005 edition;

Whereas the Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for African-American students accepted to medical school, and Spelman is 1 of 6 institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education;

Whereas Spelman's ninth President, Beverly Daniel Tatum, has initiated a strategic plan for Spelman (''Spelman ALIVE'') that includes 5 goals: Academic excellence, Leadership development, Improving the infrastructure, Visibility of accomplishments of the campus community, and Exemplary customer service, all designed to create a vision for Spelman of ''Nothing Less Than the Best''; and

Whereas Spelman College has prepared more than 6 generations of African American women to reach the highest levels of academic, community, and professional achievement: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Spelman College on 125th anniversary; and

(2) commends the President of Spelman College, Dr. Beverly Daniel Tatum, and the administration, faculty, staff, students, and alumnae of the College for their outstanding achievements and contribution to African American education, history, and culture.

SENATE RESOLUTION 542—SUPPORTING THE GOALS AND IDEAS OF NATIONAL PERIPHERAL ARTERIAL DISEASE AWARENESS WEEK

Mr. CRAPO (for himself, Mr. DORGAN) submitted the following resolution, which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 542

Whereas peripheral arterial disease is a vascular disease that occurs when narrowed arteries reduce the blood flow to the limbs;

Whereas peripheral arterial disease is a significant vascular disease that can be as serious as a heart attack or stroke;

Whereas peripheral arterial disease affects approximately 8,000,000 to 12,000,000 Americans;

Whereas patients with peripheral arterial disease are at increased risk of heart attack and stroke and are 6 times more likely to die within 10 years than are patients without peripheral arterial disease;

Whereas the survival rate for individuals with peripheral arterial disease is worse than the outcome for many common cancers;

Whereas peripheral arterial disease is a leading cause of lower limb amputation in the United States;

Whereas many patients with peripheral arterial disease have walking impairment that leads to a diminished quality of life and functional capacity;

Whereas a majority of patients with peripheral arterial disease are asymptomatic and less than half of individuals with peripheral arterial disease are aware of their diagnoses;

Whereas African-American ethnicity is a strong and independent risk factor for peripheral arterial disease, and yet this fact is not well known to those at risk;

Whereas effective treatments are available for people with peripheral arterial disease to reduce heart attacks, strokes, and amputations and to improve quality of life;

Whereas many patients with peripheral arterial disease are still untreated with proven therapies;

Whereas there is a need for comprehensive educational efforts designed to increase awareness of peripheral arterial disease among medical professionals and the greater public in order to promote early detection and proper treatment of this disease to improve quality of life, prevent heart attacks and strokes, and save lives and limbs; and

Whereas September 18 through September 22, 2006, would be an appropriate week to observe National peripheral arterial disease Awareness Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Peripheral Arterial Disease Awareness Week;

(2) acknowledges the critical importance of peripheral arterial disease awareness to improve national cardiovascular health;

(3) supports raising awareness of the consequences of undiagnosed and untreated peripheral arterial disease and the need to seek appropriate care as a serious public health issue; and

(4) calls upon the people of the United States to observe the week with appropriate programs and activities.

SENATE RESOLUTION 543—TEMPORARILY SUSPENDING THE RULES FOR THE REGULATION OF THE SENATE WING OF THE UNITED STATES CAPITOL AND SENATE OFFICE BUILDINGS FOR THE PURPOSE OF PERMITTING THE TAKING OF PHOTOGRAPHS IN THE AREA OF THE DAILY PRESS GALLERY

Mr. LOTT submitted the following resolution, which was considered and agreed to:

S. RES. 543

Resolved, That—

(1) paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings (prohibiting the taking of pictures in the Senate Chamber) shall be temporarily suspended for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery;

(2) photographs permitted under paragraph (1) may only be taken at a time when the Senate is in recess;

(3) photographs permitted to be taken under paragraph (1) may only be used in relation to United States District Court Civil Action No. 04-0026; and

(4) the Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements for implementation of paragraph (1), which arrangements shall provide that there will be no disruption to the business of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4712. Mr. COLEMAN (for himself and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table.

SA 4713. Mr. FRIST proposed an amendment to the bill S. 3711, supra.

SA 4714. Mr. FRIST proposed an amendment to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, supra.

SA 4715. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4716. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4717. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4718. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4719. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4720. Mr. MENENDEZ (for himself, Ms. CANTWELL, Mr. LIEBERMAN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4721. Mr. MENENDEZ (for himself, Ms. SNOWE, Mrs. FEINSTEIN, Ms. COLLINS, Mr. LAUTENBERG, Mrs. BOXER, Mr. REED, Mr. NELSON, of Florida, Mr. LIEBERMAN, Ms. CANTWELL, Mr. KERRY, Mr. SARBANES, Mr. DODD, Mr. KENNEDY, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4722. Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Mr. LAUTENBERG, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4723. Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Ms. CANTWELL, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4724. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. LIEBERMAN, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4725. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4726. Mr. MENENDEZ (for himself, Ms. CANTWELL, Mr. LAUTENBERG, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4727. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4728. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4729. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4730. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4731. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4732. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4733. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4734. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4735. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4736. Mr. BIDEN submitted an amendment intended to be proposed to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4737. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4738. Mr. KYL (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4712. Mr. COLEMAN (for himself and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, after line 17, add the following:

SEC. 6. ENERGY SECURITY.

(a) SHORT TITLE.—This section may be cited as the ''Transforming Energy Now Act of 2006''.

(b) TAX CREDITS.—

(1) INCREASE IN ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY CREDIT.—Section 30C(a) of the Internal Revenue Code of 1986 is amended by striking ''30 percent'' and inserting ''50 percent''.

(2) AMT RELIEF.—

(A) PERSONAL CREDIT.—Paragraph (2) of section 30C(d) of the Internal Revenue Code of 1986 is amended by striking ''the excess (if any) of'' and all that follows and inserting ''the excess of—

''(A) the sum of the regular tax liability (as defined under section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under subpart A and sections 27, 30, and 30B.''.

(B) BUSINESS CREDIT AMOUNT.—Subparagraph (B) of section 38(c)(4) of the Internal Revenue Code of 1986 is amended—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii)(II), by striking the period at the end and inserting '', and''; and

(iii) by adding at the end the following:

''(iii) the portion of the credit under section 30C which is treated as a credit under this section by reason of section 30C(d)(1).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after December 31, 2005, in taxable years ending after such date.

(c) USE OF CAFE PENALTIES TO BUILD ALTERNATIVE FUELING INFRASTRUCTURE.—Section 32912 of title 49, United States Code, is amended by adding at the end the following:

''(e) ALTERNATIVE FUELING INFRASTRUCTURE GRANT PROGRAM.—

''(1) TRUST FUND.—

''(A) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the Alternative Fueling Infrastructure Trust Fund (referred to in this subsection as the 'Trust Fund'), consisting of such amounts as are deposited into the Trust Fund under subparagraph (B) and any interest earned on investment of amounts in the Trust Fund.

''(B) TRANSFERS OF CIVIL PENALTIES.—The Secretary of Transportation shall remit 90 percent of the amount collected in civil penalties under this section to the Trust Fund.

''(2) ESTABLISHMENT OF GRANT PROGRAM.—

''(A) IN GENERAL.—The Secretary of Energy shall obligate such sums as are available in the Trust Fund to establish a grant program to increase the number of locations at which consumers may purchase alternative transportation fuels.

''(B) ALLOCATION TO CORPORATE AND NONPROFIT ENTITIES.—The Secretary shall allocate such sums from the Trust Fund as the Secretary considers appropriate to corporations (including nonprofit corporations) with demonstrated experience in the administration of grant funding. Corporations shall use funds received under this paragraph to award grants to owners and operators of fueling stations for the purpose of developing alternative fueling infrastructure for specific types of alternative fuels that can be used in at least 50,000 vehicles produced in the United States in the prior vehicle production year.

''(C) CONSIDERATIONS.—In making allocations under subparagraph (A), the Secretary shall—

''(i) give priority to recognized nonprofit corporations that have proven experience and demonstrated technical expertise in the establishment of alternative fueling infrastructure;

''(ii) consider the number of vehicles produced for sale in the preceding production year capable of using each specific type of alternative fuel; and

''(iii) identify 1 primary group per alternative fuel.

''(D) MATCHING REQUIREMENT.—The Secretary may not allocate funds to a corporation under this paragraph unless such corporation agrees to provide $1 of non-Federal contributions for every $3 of Federal funding received under this paragraph.

''(E) LIMITATION ON ADMINISTRATIVE EXPENSES.—A corporation may not expend more than 5 percent of the total allocation provided under this paragraph on administrative expenses.

''(F) TECHNICAL AND MARKETING ASSISTANCE.—Corporations receiving an allocation under subparagraph (A) shall provide grant recipients under paragraph (3) with technical and marketing assistance, including—

''(i) technical advice for compliance with applicable Federal and State environmental requirements;

''(ii) assistance in identifying alternative fuel supply sources; and

''(iii) point of sale and labeling materials.

''(3) ADMINISTRATION OF GRANTS.—

''(A) DIRECT GRANTS TO FUEL STATION OWNERS AND OPERATORS.—The Secretary of Energy shall award grants directly to owners and operators of fueling stations for the purpose of installing alternative fuel infrastructure for specific types of alternative fuels that can be used in fewer that 50,000 vehicles produced in the United States in the prior vehicle production year.

''(B) GRANT RECIPIENT.—Corporations receiving an allocation under paragraph (2), and the Secretary of Energy under subparagraph (A), shall award grants to owners and operators of fueling stations in an amount not greater than—

''(i) $150,000 per site; or

''(ii) $500,000 per entity.

''(C) SELECTION.—Grant recipients under this paragraph shall be selected on a formal, open, and competitive basis, based on—

''(i) the public demand for each alternative fuel in a particular county based on state registration records showing the number of vehicles that can be operated with alternative fuel; and

''(ii) the opportunity to create or expand corridors of alternative fuel stations along interstate or State highways.

''(D) USE OF FUNDS.—Grant funds received under this paragraph may be used to—

''(i) construct new facilities to dispense alternative fuels;

''(ii) purchase equipment to upgrade, expand, or otherwise improve existing alternative fuel facilities; or

''(iii) purchase equipment or pay for specific turnkey fueling services by alternative fuel providers.

''(E) MATCHING REQUIREMENT.—A recipient of a grant under this paragraph shall agree to provide $1 of non-Federal contributions for every $1 of grant funds received under this paragraph.

''(F) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grant recipient may not expend more than 3 percent of any grant provided under this paragraph on administrative expenses.

''(4) OPERATION OF ALTERNATIVE FUEL STATIONS.—Facilities constructed or upgraded with grant funds received under this subsection shall—

''(A) provide alternative fuel available to the public for a period of not less than 4 years;

''(B) establish a marketing plan to advance the sale and use of alternative fuels;

''(C) prominently display the price of alternative fuel on the marquee and in the station;

''(D) provide point of sale materials on alternative fuel;

''(E) clearly label the dispenser with consistent materials;

''(F) price the alternative fuel at the same margin that is received for unleaded gasoline; and

''(G) support and use all available tax incentives to reduce the cost of the alternative fuel to the lowest possible retail price.

''(5) NOTIFICATION REQUIREMENTS.—

''(A) OPENING.—Not later than the date on which each alternative fuel station begins to offer alternative fuel to the public, the grant recipient that used grant funds to construct such station shall notify the Secretary of Energy of such opening. The Secretary of Energy shall add each new alternative fuel station to the alternative fuel station locator on its Website when it receives notification under this subparagraph.

''(B) SEMI-ANNUAL REPORT.—Not later than 6 months after the receipt of a grant award under this subsection, and every 6 months thereafter, each grant recipient shall submit a report to the Secretary of Energy that describes—

''(i) the status of each alternative fuel station constructed with grant funds received under this subsection;

''(ii) the amount of alternative fuel dispensed at each station during the preceding 6-month period; and

''(iii) the average price per gallon of the alternative fuel sold at each station during the preceding 6-month period.

''(6) ALTERNATIVE FUEL DEFINED.—For the purposes of this subsection, the term 'alternative fuel' means—

''(A) any fuel of which at least 85 percent (or such percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) of the volume consists of ethanol, natural gas, compressed natural gas, liquefied natural gas, liquefied petroleum gas, or hydrogen; or

''(B) any mixture of biodiesel and diesel fuel determined without regard to any use of kerosene that contains at least 20 percent biodiesel.''.

(d) LOW–INTEREST LOAN AND GRANT PROGRAM FOR RETAIL DELIVERY OF E–85 FUEL.—

(1) PURPOSES OF LOANS.—Section 312(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1942(a)) is amended—

(A) in paragraph (9)(B)(ii), by striking ''or'' at the end;

(B) in paragraph (10), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(11) building infrastructure, including pump stations, for the retail delivery to consumers of any fuel that contains not less than 85 percent ethanol, by volume.''.

(2) PROGRAM.—Subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941 et seq.) is amended by adding at the end the following:

''SEC. 320. LOW-INTEREST LOAN AND GRANT PROGRAM FOR RETAIL DELIVERY OF E-85 FUEL.

''(a) IN GENERAL.—The Secretary shall establish a low-interest loan and grant program to assist farmer-owned ethanol producers (including cooperatives and limited liability corporations) to develop and build infrastructure, including pump stations, that is directly related to the retail delivery to consumers of any fuel that contains not less than 85 percent ethanol, by volume.

''(b) LOAN TERMS.—

''(1) AMORTIZATION.—The repayment of a loan received under this section shall be amortized over the expected life of the infrastructure project that is being financed with the proceeds of the loan.

''(2) INTEREST RATE.—The annual interest rate of a loan received under this section shall be fixed at not more than 5 percent.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.''.

(3) REGULATIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out the amendments made by this subsection.

SA 4713. Mr. FRIST proposed an amendment to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; as follows:

At the end insert the following:

The effective date shall be 2 days after the date of enactment.

SA 4714. Mr. FRIST proposed an amendment to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; as follows:

On line 1, strike ''2 days'' and insert ''1 day''.

SA 4715. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. STATE APPROVAL.

Notwithstanding any other provision of this Act, the Secretary shall not approve offshore oil or natural gas preleasing, leasing, exploration, or drilling activities in waters that are located in the Mid-Atlantic planning area, North Atlantic planning area, South Atlantic planning area, Straits of Florida planning area, Washington/Oregon planning area, Northern California planning area, Central California planning area, or Southern California planning area without the written approval of the Governor of each coastal State located within 200 miles of the State that has approved, or has requested the Secretary to approve, the oil or natural gas preleasing, leasing, exploration, or drilling activities.

SA 4716. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. REMEDIATION OF OIL AND GAS SPILLS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, for any spill that occurs as a result of exploration or drilling in waters in, or the transport of oil or gas from, the Mid-Atlantic planning area, North Atlantic planning area, South Atlantic planning area, Straits of Florida planning area, Washington/Oregon planning area, Northern California planning area, Central California planning area, Southern California planning area, or any other area seaward of any coastal State adjacent to those planning areas—

(1) 50 percent of the economic damages and environmental restoration costs for any State affected by the spill (including injury to the environment or natural resources of the United States (including the environment or natural resources of a national marine sanctuary, national estuarine research reserve, or national wildlife refuge) or of the coastal State) and any costs of removal and remediation associated with the spill, shall be paid by the 1 or more companies responsible for the exploration, drilling, or transport; and

(2) 50 percent of the economic damages and environmental restoration costs for any State affected by the spill shall be paid by the State that approved the preleasing, leasing, exploration, or drilling activities off of the coast of the State.

(b) LIABILITY.—The 1 or more companies and any State responsible for the applicable activity or the approval of the applicable activity under paragraph (1) and (2) of subsection (a), respectively, shall be strictly liable for any injuries, damages, and removal, remediation, and restoration costs from the spill.

(c) REIMBURSEMENT OF FEDERAL EXPENSES.—The 1 or more companies and any State responsible for the applicable activity or the approval of the applicable activity under paragraph (1) and (2) of subsection (a), respectively, shall reimburse the United States for any Federal funds expended to restore or remove the oil or gas, including funds made available—

(1) from the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986;

(2) from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5); and

(3) under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

SA 4717. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. APPROVAL OF ATLANTIC STATES MARINE FISHERIES COMMISSION AND PACIFIC FISHERY MANAGEMENT COUNCIL.

(a) ATLANTIC STATES MARINE FISHERIES COMMISSION.—Notwithstanding any other provision of this Act, the Secretary shall not approve offshore oil or natural gas preleasing, leasing, exploration, or drilling activities in waters that are located in the Mid-Atlantic planning area, North Atlantic planning area, South Atlantic planning area, Straits of Florida planning area, or any other area seaward of any coastal State adjacent to the planning areas without a unanimous vote of approval of the proposed activities by the Atlantic States Marine Fisheries Commission.

(b) PACIFIC FISHERY MANAGEMENT COUNCIL.—Notwithstanding any other provision of this Act, the Secretary shall not approve offshore oil or natural gas preleasing, leasing, exploration, or drilling activities in the Washington/Oregon planning area, Northern California planning area, Central California planning area, Southern California planning area, or any other area seaward of any coastal State adjacent to the planning areas without a unanimous vote of approval of the proposed activities by the Pacific Fishery Management Council.

SA 4718. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. APPROVAL OF MID-ATLANTIC FISHERY MANAGEMENT COUNCIL.

Notwithstanding any other provision of this Act, the Secretary shall not approve offshore oil or natural gas preleasing, leasing, exploration, or drilling activities in the Mid-Atlantic planning area, the South Atlantic planning area, or any other area seaward of any coastal State adjacent to the Mid-Atlantic or South Atlantic planning areas, without receiving a unanimous vote of approval of the proposed activities by the Mid-Atlantic Fishery Management Council.

SA 4719. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. OFFSHORE OIL AND GAS LEASING IN 181 AREA AND 181 SOUTH AREA OF GULF OF MEXICO.

(a) DEFINITIONS.—In this section:

(1) 181 AREA.—The term ''181 Area'' means the area identified in map 15, page 58, of the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002 of the Minerals Management Service.

(2) 181 SOUTH AREA.—The term ''181 South Area'' means any area—

(A) located—

(i) south of the 181 Area;

(ii) west of the Military Mission Line; and

(iii) in the Central Gulf of Mexico Planning Area of the outer Continental Shelf, as designated in the document entitled ''Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012'', dated February 2006;

(B) excluded from the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002, dated August 1996, of the Minerals Management Service; and

(C) included in the areas considered for oil and gas leasing, as identified in map 8, page 37 of the document entitled ''Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012'', dated February 2006.

(3) MILITARY MISSION LINE.—The term ''Military Mission Line'' means the north-south line at 86°41′ W. longitude.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Minerals Management Service.

(b) 181 AREA LEASE SALE.—Except as otherwise provided in this section, the Secretary shall offer the 181 Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable, but not later than 1 year, after the date of enactment of this Act.

(c) 181 SOUTH AREA LEASE SALE.—The Secretary shall offer the 181 South Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable after the date of enactment of this Act.

(d) EXCLUDED AREAS.—In carrying out this section, the Secretary shall not offer for oil and gas leasing—

(1) any area east of the Military Mission Line, unless the Secretary of Defense agrees in writing before the area is offered for lease that the area can be developed in a manner that will not interfere with military activities; or

(2) any area that is within 100 miles of the coastline of the State of Florida.

(e) LEASING PROGRAM.—The 181 Area and 181 South Area shall be offered for lease under this section notwithstanding the omission of the 181 Area or the 181 South Area from any outer Continental Shelf leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344).

(f) CONFORMING AMENDMENT.—Section 105 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54; 119 Stat. 522) is amended by inserting ''(other than the 181 South Area (as defined in section 2 of the Gulf of Mexico Energy Security Act of 2006))'' after ''lands located outside Sale 181''.

SA 4720. Mr. MENENDEZ (for himself, Ms. CANTWELL, and Mr. LIEBERMAN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. FEDERAL REQUIREMENT TO PURCHASE ELECTRICITY GENERATED BY RENEWABLE ENERGY.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended by striking subsection (a) and inserting the following:

''(a) REQUIREMENT.—The President, acting through the Secretary, shall ensure that, of the total quantity of electric energy the Federal Government consumes during any fiscal year, the following amounts shall be renewable energy:

''(1) Not less than 5 percent in each of fiscal years 2008 and 2009.

''(2) Not less than 7.5 percent in each of fiscal years 2010 through 2012.

''(3) Not less than 10 percent in fiscal years 2013 and each fiscal year thereafter.''.

SA 4721. Mr. MENENDEZ (for himself, Ms. SNOWE, Mrs. FEINSTEIN, Ms. COLLINS, Mr. LAUTENBERG, Mrs. BOXER, Mr. REED, Mr. NELSON of Florida, Mr. LIEBERMAN, Ms. CANTWELL, Mr. KERRY, Mr. SARBANES, Mr. DODD, Mr. KENNEDY, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, line 5, strike ''or''.

On page 9, line 17, strike the period at the end and insert a semicolon.

On page 9, between lines 17 and 18, insert the following:

(4) any area in the Mid-Atlantic planning area;

(5) any area in the North Atlantic planning area;

(6) any area in the South Atlantic planning area;

(7) any area in the Straits of Florida planning area;

(8) any area in the Washington/Oregon planning area;

(9) any area in the Northern California planning area;

(10) any area in the Central California planning area; or

(11) any area in the Southern California planning area.

SA 4722. Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Mr. LAUTENBERG, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. FEDERAL FLEET CONSERVATION REQUIREMENTS.

(a) IN GENERAL.—Part J of title IV of the Energy Policy and Conservation Act (42

U.S.C. 6374 et seq.) is amended by adding at the end the following:

"SEC. 400FF. FEDERAL FLEET CONSERVATION REQUIREMENTS.

''(a) MANDATORY REDUCTION IN PETROLEUM CONSUMPTION.—

''(1) IN GENERAL.—The Secretary shall issue regulations for Federal fleets subject to section 400AA requiring that not later than October 1, 2009, each Federal agency achieve at least a 20 percent reduction in petroleum consumption, as calculated from the baseline established by the Secretary for fiscal year 1999.

''(2) PLAN.—

''(A) REQUIREMENT.—The regulations shall require each Federal agency to develop a plan to meet the required petroleum reduction level.

''(B) MEASURES.—The plan may allow an agency to meet the required petroleum reduction level through—

''(i) the use of alternative fuels;

''(ii) the acquisition of vehicles with higher fuel economy, including hybrid vehicles;

''(iii) the substitution of cars for light trucks;

''(iv) an increase in vehicle load factors;

''(v) a decrease in vehicle miles traveled;

''(vi) a decrease in fleet size; and

''(vii) other measures.

''(C) REPLACEMENT TIRES.—The regulations shall include a requirement that each Federal agency purchase energy-efficient replacement tires for the respective fleet vehicles of the agency.

''(b) FEDERAL EMPLOYEE INCENTIVE PROGRAMS FOR REDUCING PETROLEUM CONSUMPTION.—

''(1) IN GENERAL.—Each Federal agency shall actively promote incentive programs that encourage Federal employees and contractors to reduce petroleum through the use of practices such as—

''(A) telecommuting;

''(B) public transit;

''(C) carpooling; and

''(D) bicycling.

''(2) MONITORING AND SUPPORT FOR INCENTIVE PROGRAMS.—The Administrator of the General Services Administration, the Director of the Office of Personnel Management, and the Secretary of the Department of Energy shall monitor and provide appropriate support to agency programs described in paragraph (1).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part J of title III the following:

''Sec. 400FF. Federal fleet conservation requirements.''.

SA 4723. Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Ms. CANTWELL, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. ASSISTANCE TO STATES TO REDUCE SCHOOL BUS IDLING.

(a) STATEMENT OF POLICY.—Congress encourages each local educational agency (as defined in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26))) that receives Federal funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to develop a policy to reduce the incidence of school bus idling at schools while picking up and unloading students.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy, working in coordination with the Secretary of Education, $5,000,000 for each of fiscal years 2007 through 2012 for use in educating States and local education agencies about—

(1) benefits of reducing school bus idling; and

(2) ways in which school bus idling may be reduced.

SA 4724. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. LIEBERMAN, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. TRANSIT-ORIENTED DEVELOPMENT CORRIDORS.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The tern ''Secretary'' means the Secretary of Transportation.

(2) TRANSIT-ORIENTED DEVELOPMENT CORRIDOR.—The term ''Transit-Oriented Development Corridor'' or ''TODC'' means a geographic area designated by the Secretary under subsection (b).

(3) OTHER TERMS.—The terms ''fixed guide way'', ''local governmental authority'', ''mass transportation'', ''Secretary'', ''State'', and ''urbanized area'' have the meanings given the terms in section 5302 of title 49, United States Code.

(b) TRANSIT-ORIENTED DEVELOPMENT CORRIDORS.—

(1) IN GENERAL.—The Secretary shall develop and carry out a program to designate geographic areas in urbanized areas as Transit-Oriented Development Corridors.

(2) CRITERIA.—An area designated as a TODC under paragraph (1) shall include rights-of-way for fixed guide way mass transportation facilities (including commercial development of facilities that have a physical and functional connection with each facility).

(3) NUMBER OF TODCS.—In consultation with State transportation departments and metropolitan planning organizations, the Secretary shall designate—

(A) not fewer than 10 TODCs by December 31, 2015; and

(B) not fewer than 20 TODCs by December 31, 2025.

(4) TRANSIT GRANTS.—

(A) IN GENERAL.—The Secretary make grants to eligible states and local governmental authorities to pay the Federal share of the cost of designating geographic areas in urbanized areas as TODCs.

(B) APPLICATION.—Each eligible State or local governmental authority that desires to receive a grant under this paragraph shall submit an application to the Secretary, at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require.

(C) LABOR STANDARDS.—Subchapter IV of chapter 31 of title 40, United States Code shall apply to projects that receive funding under this section.

(D) FEDERAL SHARE.—The Federal share of the cost of a project under this subsection shall be 50 percent.

(c) TODC RESEARCH AND DEVELOPMENT.—To support effective deployment of grants and incentives under this section, the Secretary shall establish a TODC research and development program to conduct research on the best practices and performance criteria for TODCs.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2007 through 2012.

SA 4725. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. EXPANSION OF RESOURCES TO WAVE, CURRENT, TIDAL, AND OCEAN THERMAL ENERGY.

(a) IN GENERAL.—Section 45(c)(1) of the Internal Revenue Code of 1986 (defining qualified energy resources) is amended by striking ''and'' at the end of subparagraph (G), by striking the period at the end of subparagraph (H) and inserting '', and'', and by adding at the end the following new subparagraph:

''(I) wave, current, tidal, and ocean thermal energy.''

(b) DEFINITION OF RESOURCES.—Section 45(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(10) WAVE, CURRENT, TIDAL, AND OCEAN THERMAL ENERGY.—The term 'wave, current, tidal, and ocean thermal energy' means electricity produced from any of the following:

''(A) Free flowing ocean water derived from tidal currents, ocean currents, waves, or estuary currents.

''(B) Ocean thermal energy.

''(C) Free flowing water in rivers, lakes, man made channels, or streams.''

(c) FACILITIES.—Section 45(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(11) WAVE, CURRENT, TIDAL, AND OCEAN THERMAL FACILITY.—In the case of a facility using resources described in subparagraph (A), (B), or (C) of subsection (c)(10) to produce electricity, the term 'qualified facility' means any facility owned by the taxpayer which is originally placed in service after the date of the enactment of this paragraph and before January 1, 2015, but such term shall not include a facility which includes impoundment structures or a small irrigation power facility.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SA 4726. Mr. MENENDEZ (for himself, Ms. CANTWELL, Mr. LAUTENBERG, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. DEPLOYMENT OF NEW TECHNOLOGIES TO REDUCE OIL USE IN TRANSPORTATION.

(a) FUEL FROM CELLULOSIC BIOMASS.—

(1) IN GENERAL.—The Secretary of Energy shall provide deployment incentives under this subsection to encourage a variety of projects to produce transportation fuel from cellulosic biomass, relying on different feedstocks in different regions of the United States.

(2) PROJECT ELIGIBILITY.—Incentives under this subsection shall be provided on a competitive basis to projects that produce fuel that—

(A) meet United States fuel and emission specifications;

(B) help diversify domestic transportation energy supplies; and

(C) improve or maintain air, water, soil, and habitat quality.

(3) INCENTIVES.—Incentives under this subsection may consist of—

(A) loan guarantees under section 1510 of the Energy Policy Act of 2005 (42 U.S.C. 16501), subject to section 1702 of that Act (22 U.S.C. 16512), for the construction of production facilities and supporting infrastructure; or

(B) production payments through a reverse auction in accordance with paragraph (4).

(4) REVERSE AUCTION.—

(A) IN GENERAL.—In providing incentives under this subsection, the Secretary of Energy shall—

(i) issue regulations under which producers of fuel from cellulosic biomass may bid for production payments under paragraph (3)(B); and

(ii) solicit bids from producers of different classes of transportation fuel, as the Secretary of Energy determines to be appropriate.

(B) REQUIREMENT.—The rules under subparagraph (A) shall require that incentives be provided to the producers that submit the lowest bid (in terms of cents per gallon) for each class of transportation fuel from which the Secretary of Energy solicits a bid.

(b) ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ADJUSTED FUEL ECONOMY.—The term ''adjusted fuel economy'' means the average fuel economy of a manufacturer for all light duty motor vehicles produced by the manufacturer, adjusted such that the fuel economy of each vehicle that qualifies for a credit shall be considered to be equal to the average fuel economy for the weight class of the vehicle for model year 2002.

(B) ADVANCED LEAN BURN TECHNOLOGY MOTOR VEHICLE.—The term ''advanced lean burn technology motor vehicle'' means a passenger automobile or a light truck with an internal combustion engine that—

(i) is designed to operate primarily using more air than is necessary for complete combustion of the fuel;

(ii) incorporates direct injection; and

(iii) achieves at least 125 percent of the city fuel economy of vehicles in the same size class as the vehicle for model year 2002.

(C) ADVANCED TECHNOLOGY VEHICLE.—The term ''advanced technology vehicle'' means a light duty motor vehicle that—

(i) is a hybrid motor vehicle or an advanced lean burn technology motor vehicle; and

(ii) meets—

(I) the Bin 5 Tier II emission standard established in regulations issued by the Administrator of the Environmental Protection Agency under section 202(i) of the Clean Air Act (42 U.S.C. 7521(i)), or a lower-numbered Bin emission standard;

(II) any new emission standard for fine particulate matter prescribed by the Administrator under that Act (42 U.S.C. 7401 et seq.); and

(III) at least 125 percent of the base year city fuel economy for the weight class of the vehicle.

(D) ENGINEERING INTEGRATION COSTS.—The term ''engineering integration costs'' includes the cost of engineering tasks relating to—

(i) incorporating qualifying components into the design of advanced technology vehicles; and

(ii) designing new tooling and equipment for production facilities that produce qualifying components or advanced technology vehicles.

(E) HYBRID MOTOR VEHICLE.—The term ''hybrid motor vehicle'' means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are—

(i) an internal combustion or heat engine using combustible fuel; and

(ii) a rechargeable energy storage system.

(F) QUALIFYING COMPONENTS.—The term ''qualifying components'' means components that the Secretary of Energy determines to be—

(i) specially designed for advanced technology vehicles; and

(ii) installed for the purpose of meeting the performance requirements of advanced technology vehicles.

(2) MANUFACTURER FACILITY CONVERSION AWARDS.—The Secretary of Energy shall provide facility conversion funding awards under this subsection to automobile manufacturers and component suppliers to pay not more than 30 percent of the cost of—

(A) reequipping or expanding an existing manufacturing facility in the United States to produce—

(i) qualifying advanced technology vehicles; or

(ii) qualifying components; and

(B) engineering integration performed in the United States of qualifying vehicles and qualifying components.

(3) PERIOD OF AVAILABILITY.—An award under paragraph (2) shall apply to—

(A) facilities and equipment placed in service before December 30, 2017; and

(B) engineering integration costs incurred during the period beginning on the date of enactment of this Act and ending on December 30, 2017.

(4) IMPROVEMENT.—The Secretary of Energy shall issue regulations that require that, in order for an automobile manufacturer to be eligible for an award under this subsection during a particular year, the adjusted average fuel economy of the manufacturer for light duty vehicles produced by the manufacturer during the most recent year for which data are available shall be not less than the average fuel economy for all light duty motor vehicles of the manufacturer for model year 2002.

SA 4727. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. CELLULOSIC ETHANOL RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

(a) IN GENERAL.—There is established in the Department of Energy a program under which the Secretary of Energy shall provide to eligible entities, as determined by the Secretary, grants for the conduct of research, development, and demonstration projects on the use of cellulosic ethanol for vehicle fuel.

(b) PRIORITY.—In providing grants under subsection (a), the Secretary of Energy shall give priority to projects that use alternative or renewable energy sources in producing cellulosic ethanol.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000,000 for the period of fiscal years 2007 through 2013.

SA 4728. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 6. PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.

Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by adding at the end the following:

''(q) PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act or any other law and except as provided in paragraph (2), beginning on the date of enactment of this subsection, the conduct of oil and gas preleasing, leasing, and related activities is prohibited in areas of the outer Continental Shelf located off the coast of the State of California.

''(2) EFFECT.—Nothing in this subsection affects any rights under leases issued under this Act before the date of enactment of this subsection.''.

SEC. 7. COMPREHENSIVE INVENTORY OF OUTER CONTINENTAL SHELF OIL AND NATURAL GAS RESOURCES.

Section 357(a) of the Energy Policy Act of 2005 (42 U.S.C. 15912(a)) is amended by inserting after ''Continental Shelf'' the following: ''(other than the areas of the outer Continental Shelf off the coast of the State of California)''.

SA 4729. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. FEDERAL FLEET FUEL ECONOMY.

Section 32917 of title 49, United States Code, is amended by adding at the end the following:

''(a) NEW VEHICLES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each passenger vehicle purchased, or leased for at least 60 consecutive days, by an executive agency after the date of the enactment of the Gulf of Mexico Energy Security Act of 2006 shall be as fuel efficient as possible.

''(2) WAIVER.—An executive agency may submit a written request to Congress for a waiver of the requirement under paragraph (1) in an emergency situation.''.

SA 4730. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ASSISTANT SECRETARY FOR ADVANCED ENERGY RESEARCH, TECHNOLOGY DEVELOPMENT, AND DEPLOYMENT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Energy shall establish in the Department of Energy the position of Assistant Secretary for Advanced Energy Research, Technology Development, and Deployment (referred to in this section as the ''Assistant Secretary''), to be headed by, and to report to, the Secretary.

(2) QUALIFICATIONS.—The Assistant Secretary shall be an individual with—

(A) an advanced education degree in energy technology; and

(B) substantial commercial research and technology development and deployment experience.

(b) MISSION.—The mission of the Assistant Secretary is—

(1) to implement an innovative energy research, technology development, and deployment program to—

(A) increase national security by significantly reducing petroleum and imported fuels consumption;

(B) significantly improve the efficiency of electricity use and the reliability of the electricity system; and

(C) significantly reduce greenhouse gas emissions; and

(2) to sponsor a diverse portfolio of cutting-edge, high-payoff research, development, and deployment projects to carry out the program.

(c) EXPERIMENTAL PERSONNEL AUTHORITY.—The Assistant Secretary may staff the office of the Assistant Secretary primarily using a program of experimental use of special personnel management authority in order to facilitate recruitment of eminent experts in science or engineering for management of research and development projects and programs administered by the Assistant Secretary under similar terms and conditions as the authority is exercised under section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note), as determined by the Assistant Secretary.

(d) TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.—To carry out projects under this section, the Assistant Secretary may enter into transactions to carry out advanced research projects under this subsection under similar terms and conditions as the authority is exercised under section 646(g) of the Department of Energy Organization Act (42 U.S.C. 7256(g)).

(e) PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) through (4), the Assistant Secretary may carry out a program to award cash prizes in recognition of outstanding achievements in basic, advanced, and applied research, technology development, and prototype development that have the potential to advance the mission described in subsection (b) under similar terms and conditions as the authority is exercised under section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396).

(2) COMPETITION REQUIREMENTS.—In carrying out this subsection, the Assistant Secretary shall—

(A) use a competitive process for the selection of recipients of cash prizes; and

(B) conduct widely-advertised solicitation of submissions of research results, technology developments, and prototypes.

(3) MAXIMUM AMOUNT FOR ALL CASH PRIZES.—The total amount of all cash prizes awarded for a fiscal year under this subsection may not exceed $50,000,000.

(4) MAXIMUM AMOUNT OF INDIVIDUAL CASH PRIZES.—The amount of an individual cash prize awarded under this subsection may not exceed $10,000,000 unless the amount of the award is approved by the Secretary of Energy.

(f) ANNUAL REPORTS.—As soon as practicable after the end of each fiscal year for which the Assistant Secretary receives funds under subsection (h), the Assistant Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce, and the Committee on Science, of the House of Representatives a report on the progress, challenges, future milestones, and strategic plan of the Assistant Secretary, including—

(1) a description of, and rationale for, any changes in the strategic plan;

(2) the adequacy of human and financial resources necessary to achieve the mission described in subsection (b); and

(3) in the case of cash prizes awarded under subsection (e), a description of—

(A) the applications of the research, technology, or prototypes for which prizes were awarded;

(B) the total amount of the prizes that were awarded;

(C) the methods used for solicitation and evaluation of submissions and an assessment of the effectiveness of those methods; and

(D) recommendations to improve the prize program.

(g) RELATIONSHIP TO OTHER AUTHORITY.—The program under this section may be carried out in conjunction with, or in addition to, the exercise of any other authority of the Assistant Secretary to acquire, support, or stimulate basic, advanced, and applied research, technology development, or prototype projects.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $1,000,000,000 for fiscal year 2007; and

(2) $2,000,000,000 for each of fiscal years 2008 through 2011.

SA 4731. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. ENERGY SAVINGS PERFORMANCE CONTRACTS.

(a) RETENTION OF SAVINGS.—Section 546(c) of the National Energy Conservation Policy Act (42 U.S.C. 8256(c)) is amended by striking paragraph (5).

(b) FINANCING FLEXIBILITY.—Section 801(a)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)) is amended by adding at the end the following:

''(E) SEPARATE CONTRACTS.—In carrying out a contract under this title, a Federal agency may—

''(i) enter into a separate contract for energy services and conservation measures under the contract; and

''(ii) provide all or part of the financing necessary to carry out the contract.''.

(c) DEFINITION OF ENERGY SAVINGS.—Section 804(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting appropriately;

(2) by striking ''means a reduction'' and inserting ''means—

''(A) a reduction'';

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(B) the increased efficient use of an existing energy source by cogeneration or heat recovery, and installation of renewable energy systems;

''(C) the sale or transfer of electrical or thermal energy generated on-site, but in excess of Federal needs, to utilities or non-Federal energy users; and

''(D) the increased efficient use of existing water sources in interior or exterior applications.''.

(d) ENERGY AND COST SAVINGS IN NONBUILDING APPLICATIONS.—

(1) DEFINITIONS.—In this subsection:

(A) NONBUILDING APPLICATION.—The term ''nonbuilding application'' means—

(i) any class of vehicles, devices, or equipment that is transportable under the power of the applicable vehicle, device, or equipment by land, sea, or air and that consumes energy from any fuel source for the purpose of—

(I) that transportation; or

(II) maintaining a controlled environment within the vehicle, device, or equipment; and

(ii) any federally-owned equipment used to generate electricity or transport water.

(B) SECONDARY SAVINGS.—

(i) IN GENERAL.—The term ''secondary savings'' means additional energy or cost savings that are a direct consequence of the energy savings that result from the energy efficiency improvements that were financed and implemented pursuant to an energy savings performance contract.

(ii) INCLUSIONS.—The term ''secondary savings'' includes—

(I) energy and cost savings that result from a reduction in the need for fuel delivery and logistical support;

(II) personnel cost savings and environmental benefits; and

(III) in the case of electric generation equipment, the benefits of increased efficiency in the production of electricity, including revenues received by the Federal Government from the sale of electricity so produced.

(2) STUDY.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Energy and the Secretary of Defense shall jointly conduct, and submit to Congress and the President a report of, a study of the potential for the use of energy savings performance contracts to reduce energy consumption and provide energy and cost savings in nonbuilding applications.

(B) REQUIREMENTS.—The study under this subsection shall include—

(i) an estimate of the potential energy and cost savings to the Federal Government, including secondary savings and benefits, from increased efficiency in nonbuilding applications;

(ii) an assessment of the feasibility of extending the use of energy savings performance contracts to nonbuilding applications, including an identification of any regulatory or statutory barriers to such use; and

(iii) such recommendations as the Secretary of Energy and Secretary of Defense determine to be appropriate.

SA 4732. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United Statese by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—ELIMINATING UNNECESSARY OIL TAX BREAKS

SEC. 201. ELIMINATION OF DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS FOR MAJOR OIL COMPANIES.

(a) IN GENERAL.—Section 263(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentences: ''This subsection shall not apply during any taxable year with respect to a major integrated oil company (as defined in section 43(f)(2)) if during the preceding taxable year for the production of oil, the average price of crude oil in the United States is greater than $34.71 per barrel, and for the production of natural gas, the average wellhead price of natural gas in the United States is greater than $4.34 per 1,000 cubic feet. For purposes of the preceding sentence, the Secretary shall determine average prices, taking into consideration the most recent data reported by the Energy Information Administration. For taxable years beginning after December 31, 2007, each dollar amount specified in this subsection shall be adjusted to reflect changes for the 12-month period ending the preceding September 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 202. ELIMINATION OF ENHANCED OIL RECOVERY CREDIT FOR MAJOR OIL COMPANIES.

(a) IN GENERAL.—Section 43 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) NONAPPLICATION OF SECTION.—

''(1) IN GENERAL.—This section shall not apply during any taxable year with respect to a major integrated oil company if during the preceding taxable year for the production of oil, the average price of crude oil in the United States is greater than $34.71 per barrel. For purposes of the preceding sentence, the Secretary shall determine average prices, taking into consideration the most recent data reported by the Energy Information Administration. For taxable years beginning after December 31, 2007, the dollar amount specified in this paragraph shall be adjusted to reflect changes for the 12-month period ending the preceding September 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

''(2) MAJOR INTEGRATED OIL COMPANY.—For purposes of this subsection, the term 'major integrated oil company' means, with respect to any taxable year, a producer of crude oil—

''(A) which has an average daily worldwide production of crude oil of at least 500,000 barrels for the taxable year,

''(B) which had gross receipts in excess of $1,000,000,000 for its last taxable year ending during calendar year 2005, and

''(C) to whom subsection (c) of section 613A does not apply by reason of paragraph (4) of section 613A(d), determined—

''(i) by substituting '15 percent' for '5 percent' each place it occurs in paragraph (3) of section 613A(d), and

''(ii) without regard to whether subsection (c) of section 613A does not apply by reason of paragraph (2) of section 613A(d).

For purposes of subparagraphs (A) and (B), all persons treated as a single employer under subsections (a) and (b) of section 52 shall be treated as 1 person and, in case of a short taxable year, the rule under section 448(c)(3)(B) shall apply.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 203. OIL AND GAS ROYALTY-RELATED AMENDMENTS.

(a) REPEAL.—Sections 344 through 346 of the Energy Policy Act of 2005 (42 U.S.C. 15902 et seq.) are repealed.

(b) TERMINATION OF ALASKA OFFSHORE ROYALTY SUSPENSION.—Section 8(a)(3)(B) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(B)) is amended by striking ''and in the Planning Areas offshore Alaska''.

SEC. 204. EXTENSION OF ELECTION TO EXPENSE CERTAIN REFINERIES.

(a) EXTENSION.—

(1) IN GENERAL.—Section 179C(c)(1) of the Internal Revenue Code of 1986 (defining qualified refinery property) is amended—

(A) by striking ''and before January 1, 2012'' in subparagraph (B) and inserting ''and, in the case of any qualified refinery described in subsection (d)(1), before January 1, 2012'', and

(B) by inserting ''if described in subsection (d)(1)'' after ''of which'' in subparagraph (F)(i).

(2) CONFORMING AMENDMENT.—Subsection (d) of section 179C of the Internal Revenue Code of 1986 is amended to read as follows:

''(d) QUALIFIED REFINERY.—For purposes of this section, the term 'qualified refinery' means any refinery located in the United States which is designed to serve the primary purpose of processing liquid fuel from—

''(1) crude oil, or

''(2) qualified fuels (as defined in section 45K(c)).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the amendment made by section 1323(a) of the Energy Policy Act of 2005.

(b) NONAPPLICATION FOR MAJOR OIL COMPANIES.—

(1) IN GENERAL.—Section 179C of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(i) NONAPPLICATION OF SECTION.—

''(1) IN GENERAL.—This section shall not apply during any taxable year with respect to a major integrated oil company if during the preceding taxable year for the production of oil, the average price of crude oil in the United States is greater than $34.71 per barrel. For purposes of the preceding sentence, the Secretary shall determine average prices, taking into consideration the most recent data reported by the Energy Information Administration. For taxable years beginning after December 31, 2007, the dollar amount specified in this paragraph shall be adjusted to reflect changes for the 12-month period ending the preceding September 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

''(2) MAJOR INTEGRATED OIL COMPANY.—For purposes of this subsection, the term 'major integrated oil company' means, with respect to any taxable year, a producer of crude oil—

''(A) which has an average daily worldwide production of crude oil of at least 500,000 barrels for the taxable year,

''(B) which had gross receipts in excess of $1,000,000,000 for its last taxable year ending during calendar year 2005, and

''(C) to whom subsection (c) of section 613A does not apply by reason of paragraph (4) of section 613A(d), determined—

''(i) by substituting '15 percent' for '5 percent' each place it occurs in paragraph (3) of section 613A(d), and

''(ii) without regard to whether subsection (c) of section 613A does not apply by reason of paragraph (2) of section 613A(d).

For purposes of subparagraphs (A) and (B), all persons treated as a single employer under subsections (a) and (b) of section 52 shall be treated as 1 person and, in case of a short taxable year, the rule under section 448(c)(3)(B) shall apply.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 205. ELIMINATION OF AMORTIZATION OF GEOLOGICAL AND GEOPHYSICAL EXPENDITURES FOR MAJOR OIL COMPANIES.

(a) IN GENERAL.—Section 167(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) NONAPPLICATION OF SECTION.—

''(A) IN GENERAL.—This subsection shall not apply during any taxable year with respect to a major integrated oil company if during the preceding taxable year for the production of oil, the average price of crude oil in the United States is greater than $34.71 per barrel, and for the production of natural gas, the average wellhead price of natural gas in the United States is greater than $4.34 per 1,000 cubic feet. For purposes of the preceding sentence, the Secretary shall determine average prices, taking into consideration the most recent data reported by the Energy Information Administration. For taxable years beginning after December 31, 2007, each dollar amount specified in this subparagraph shall be adjusted to reflect changes for the 12-month period ending the preceding September 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

''(B) MAJOR INTEGRATED OIL COMPANY.—For purposes of this paragraph, the term 'major integrated oil company' means, with respect to any taxable year, a producer of crude oil—

''(i) which has an average daily worldwide production of crude oil of at least 500,000 barrels for the taxable year,

''(ii) which had gross receipts in excess of $1,000,000,000 for its last taxable year ending during calendar year 2005, and

''(iii) to whom subsection (c) of section 613A does not apply by reason of paragraph (4) of section 613A(d), determined—

''(I) by substituting '15 percent' for '5 percent' each place it occurs in paragraph (3) of section 613A(d), and

''(II) without regard to whether subsection (c) of section 613A does not apply by reason of paragraph (2) of section 613A(d).

For purposes of subparagraphs (A) and (B), all persons treated as a single employer under subsections (a) and (b) of section 52 shall be treated as 1 person and, in case of a short taxable year, the rule under section 448(c)(3)(B) shall apply.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on and after the date of the enactment of this Act.

SEC. 206. REVALUATION OF LIFO INVENTORIES OF MAJOR INTEGRATED OIL COMPANIES.

(a) GENERAL RULE.—Notwithstanding any other provision of law, if a taxpayer is a major integrated oil company for its last taxable year ending in calendar year 2005, the taxpayer shall—

(1) increase, effective as of the close of such taxable year, the value of each historic LIFO layer of inventories of crude oil, natural gas, or any other petroleum product (within the meaning of section 4611) by the layer adjustment amount, and

(2) decrease its cost of goods sold for such taxable year by the aggregate amount of the increases under paragraph (1).

If the aggregate amount of the increases under paragraph (1) exceed the taxpayer's cost of goods sold for such taxable year, the taxpayer's gross income for such taxable year shall be increased by the amount of such excess.

(b) LAYER ADJUSTMENT AMOUNT.—For purposes of this section—

(1) IN GENERAL.—The term ''layer adjustment amount'' means, with respect to any historic LIFO layer, the product of—

(A) $18.75, and

(B) the number of barrels of crude oil (or in the case of natural gas or other petroleum products, the number of barrel-of-oil equivalents) represented by the layer.

(2) BARREL-OF-OIL EQUIVALENT.—The term ''barrel-of-oil equivalent'' has the meaning given such term by section 29(d)(5) (as in effect before its redesignation by the Energy Tax Incentives Act of 2005).

(c) APPLICATION OF REQUIREMENT.—

(1) NO CHANGE IN METHOD OF ACCOUNTING.—Any adjustment required by this section shall not be treated as a change in method of accounting.

(2) UNDERPAYMENTS OF ESTIMATED TAX.—No addition to the tax shall be made under section 6655 of the Internal Revenue Code of 1986 (relating to failure by corporation to pay estimated tax) with respect to any underpayment of an installment required to be paid with respect to the taxable year described in subsection (a) to the extent such underpayment was created or increased by this section.

(d) MAJOR INTEGRATED OIL COMPANY.—For purposes of this section, the term ''major integrated oil company'' has the meaning given such term by section 43(f)(2) of the Internal Revenue Code of 1986.

SEC. 207. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 (relating to credit for taxes of foreign countries and of possessions of the United States) is amended by redesignating subsection (m) as (n) and by inserting after subsection (l) the following new subsection:

''(m) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

''(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company to a foreign country or possession of the United States for any period shall not be considered a tax—

''(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

''(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

''(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

''(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

''(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term 'dual capacity taxpayer' means, with respect to any foreign country or possession of the United States, a person who—

''(A) is subject to a levy of such country or possession, and

''(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

''(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'generally applicable income tax' means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

''(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

''(i) persons who are not dual capacity taxpayers, and

''(ii) persons who are citizens or residents of the foreign country or possession.

''(4) MAJOR INTEGRATED OIL COMPANY.—For purposes of this subsection, the term 'major integrated oil company' has the meaning given such term by section 43(f)(2).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHELD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

SEC. 208. DENIAL OF DEDUCTION FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION OF OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

(a) IN GENERAL.—Subparagraph (B) of section 199(c)(4) of the Internal Revenue Code of 1986 (relating to exceptions) is amended by striking ''or'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', or'', and by inserting after clause (iii) the following new clause:

''(iv) in the case of any major integrated oil company (as defined in section 43(f)(2)), the production, refining, processing, transportation, or distribution of oil, natural gas, or any primary product thereof during any taxable year described in section 167(h)(5)(A).''.

(b) CONFORMING AMENDMENTS.—Section 199(c)(4) of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (A)(i)(III) by striking ''electricity, natural gas,'' and inserting ''electricity'', and

(2) in subparagraph (B)(ii) by striking ''electricity, natural gas,'' and inserting ''electricity''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2005.

SEC. 209. RULES RELATING TO FOREIGN OIL AND GAS INCOME.

(a) SEPARATE BASKET FOR FOREIGN TAX CREDIT.—

(1) YEARS BEFORE 2007.—Paragraph (1) of section 904(d) of the Internal Revenue Code of 1986 (relating to separate application of section with respect to certain categories of income), as in effect for years beginning before 2007, is amended by striking 'and' at the end of subparagraph (H), by redesignating subparagraph (I) as subparagraph (J), and by inserting after subparagraph (H) the following new subparagraph:

''(I) foreign oil and gas income, and''.

(2) 2007 AND AFTER.—Paragraph (1) of section 904(d) of such Code, as in effect for years beginning after 2006, is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by adding at the end the following:

''(C) foreign oil and gas income.''.

(b) DEFINITION.—

(1) YEARS BEFORE 2007.—Paragraph (2) of section 904(d) of the Internal Revenue Code of 1986, as in effect for years beginning before 2007, is amended by redesignating subparagraphs (H) and (I) as subparagraphs (I) and (J), respectively, and by inserting after subparagraph (G) the following new subparagraph:

''(H) FOREIGN OIL AND GAS INCOME.—The term 'foreign oil and gas income' has the meaning given such term by section 954(g).''.

(2) 2007 AND AFTER.—Section 904(d)(2) of such Code, as in effect for years after 2006, is amended by redesignating subparagraphs (J) and (K) as subparagraphs (K) and (L) and by inserting after subparagraph (I) the following:

''(J) FOREIGN OIL AND GAS INCOME.—For purposes of this section—

''(i) IN GENERAL.—The term 'foreign oil and gas income' has the meaning given such term by section 954(g).

''(ii) COORDINATION.—Passive category income and general category income shall not include foreign oil and gas income (as so defined).''.

(c) CONFORMING AMENDMENTS.—

(1) Section 904(d)(3)(F)(i) of the Internal Revenue Code of 1986 is amended by striking ''or (E)'' and inserting ''(E), or (I)''.

(2) Section 907(a) of such Code is hereby repealed.

(3) Section 907(c)(4) of such Code is hereby repealed.

(4) Section 907(f) of such Code is hereby repealed.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(2) YEARS AFTER 2006.—The amendments made by paragraphs (1)(B) and (2)(B) shall apply to taxable years beginning after December 31, 2006.

(3) TRANSITIONAL RULES.—

(A) SEPARATE BASKET TREATMENT.—Any taxes paid or accrued in a taxable year beginning on or before the date of the enactment of this Act, with respect to income which was described in subparagraph (I) of section 904(d)(1) of such Code (as in effect on the day before the date of the enactment of this Act), shall be treated as taxes paid or accrued with respect to foreign oil and gas income to the extent the taxpayer establishes to the satisfaction of the Secretary of the Treasury that such taxes were paid or accrued with respect to foreign oil and gas income.

(B) CARRYOVERS.—Any unused oil and gas extraction taxes which under section 907(f) of such Code (as so in effect) would have been allowable as a carryover to the taxpayer's first taxable year beginning after the date of the enactment of this Act (without regard to the limitation of paragraph (2) of such section 907(f) for first taxable year) shall be allowed as carryovers under section 904(c) of such Code in the same manner as if such taxes were unused taxes under such section 904(c) with respect to foreign oil and gas extraction income.

(C) LOSSES.—The amendment made by subsection (c)(3) shall not apply to foreign oil and gas extraction losses arising in taxable years beginning on or before the date of the enactment of this Act.

SEC. 210. ELIMINATION OF DEFERRAL FOR FOREIGN OIL AND GAS EXTRACTION INCOME.

(a) GENERAL RULE.—Paragraph (1) of section 954(g) of the Internal Revenue Code of 1986 (defining foreign base company oil related income) is amended to read as follows:

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the term 'foreign oil and gas income' means, in the case of any major integrated oil company (as defined in section 43(f)(2)) during any taxable year described in section 167(h)(5)(A), any income of a kind which would be taken into account in determining the amount of—

''(A) foreign oil and gas extraction income (as defined in section 907(c)), or

''(B) foreign oil related income (as defined in section 907(c)).''.

(b) CONFORMING AMENDMENTS.—

(1) Subsections (a)(5), (b)(5), and (b)(6) of section 954, and section 952(c)(1)(B)(ii)(I) of the Internal Revenue Code of 1986, are each amended by striking ''base company oil related income'' each place it appears (including in the heading of subsection (b)(8)) and inserting ''oil and gas income''.

(2) Subsection (b)(4) of section 954 of such Code is amended by striking ''base company oil-related income'' and inserting ''oil and gas income''.

(3) The subsection heading for subsection (g) of section 954 of such Code is amended by striking ''FOREIGN BASE COMPANY OIL RELATED INCOME'' and inserting ''FOREIGN OIL AND GAS INCOME''.

(4) Subparagraph (A) of section 954(g)(2) of such Code is amended by striking ''foreign base company oil related income'' and inserting ''foreign oil and gas income''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after the date of the enactment of this Act, and to taxable years of United States shareholders ending with or within such taxable years of foreign corporations.

TITLE III—EXPANDING ENERGY EFFICIENCY

SEC. 301. EXTENSION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

Section 179D(h) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''2007'' and inserting ''2014''.

SEC. 302. EXTENSION AND EXPANSION OF NEW ENERGY EFFICIENT HOME CREDIT.

(a) EXTENSION.—Section 45L(g) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''2007'' and inserting ''2014''.

(b) INCLUSION OF 30 PERCENT HOMES.—

(1) IN GENERAL.—Section 45L(c) of the Internal Revenue Code of 1986 (relating to energy saving requirements) is amended—

(A) by striking ''or'' at the end of paragraph (2);

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

''(3) certified—

''(A) to have a level of annual heating and cooling energy consumption which is at least 30 percent below the annual level described in paragraph (1), and

''(B) to have building envelope component improvements account for at least 1/3 of such 30 percent, or.''.

(2) APPLICABLE AMOUNT OF CREDIT.—Section 45L(a)(2) is amended by striking ''paragraph (3)'' and inserting ''paragraph (3) or (4)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to qualified new energy efficient homes acquired after the date of the enactment of this Act.

SEC. 303. EXTENSION OF NONBUSINESS ENERGY PROPERTY CREDIT.

Section 25C(g) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''2007'' and inserting ''2014''.

SEC. 304. EXTENSION AND MODIFICATION OF RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT.

(a) EXTENSION.—Section 25D(g) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''2007'' and inserting ''2014''.

(b) MODIFICATION OF MAXIMUM CREDIT.—Paragraph (1) of section 25D(b) of the Internal Revenue Code of 1986 (relating to limitations) is amended to read as follows:

''(1) MAXIMUM CREDIT.—The credit allowed under subsection (a) for any taxable year shall not exceed—

''(A) $1,000 with respect to each half kilowatt of capacity of qualified photovoltaic property for which qualified photovoltaic property expenditures are made,

''(B) $2,000 with respect to any qualified solar water heating property expenditures, and

''(C) $500 with respect to each half kilowatt of capacity of qualified fuel cell property (as defined in section 48(c)(1)) for which qualified fuel cell property expenditures are made.''.

(c) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 25D(b) of the Internal Revenue Code of 1986 (as amended by subsection (b)) is amended by adding at the end the following new paragraph:

''(3) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—The credit allowed under subsection (a) for the taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under subpart A of part IV of subchapter A and section 27 for the taxable year.''.

(2) CONFORMING AMENDMENT.—Subsection (c) of section 25D of such Code is amended to read as follows:

''(c) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) for any taxable year exceeds the limitation imposed by subsection (b)(3) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2005.

SEC. 305. ENERGY CREDIT FOR COMBINED HEAT AND POWER SYSTEM PROPERTY.

(a) In general.—Section 48(a)(3)(A) of the Internal Revenue Code of 1986 (defining energy property) is by striking ''or'' at the end of clause (iii), by inserting ''or'' at the end of clause (iv), and by adding at the end the following new clause:

''(v) combined heat and power system property,'';

(b) COMBINED HEAT AND POWER SYSTEM PROPERTY.—Section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) COMBINED HEAT AND POWER SYSTEM PROPERTY.—For purposes of subsection (a)(3)(A)(v)—

''(1) COMBINED HEAT AND POWER SYSTEM PROPERTY.—The term 'combined heat and power system property' means property comprising a system—

''(A) which uses the same energy source for the simultaneous or sequential generation of electrical power, mechanical shaft power, or both, in combination with the generation of steam or other forms of useful thermal energy (including heating and cooling applications),

''(B) which has an electrical capacity of not more than 15 megawatts or a mechanical energy capacity of not more than 2,000 horsepower or an equivalent combination of electrical and mechanical energy capacities,

''(C) which produces—

''(i) at least 20 percent of its total useful energy in the form of thermal energy which is not used to produce electrical or mechanical power (or combination thereof), and

''(ii) at least 20 percent of its total useful energy in the form of electrical or mechanical power (or combination thereof),

''(D) the energy efficiency percentage of which exceeds 60 percent, and

''(E) which is placed in service before January 1, 2015.

''(2) SPECIAL RULES.—

''(A) ENERGY EFFICIENCY PERCENTAGE.—For purposes of this subsection, the energy efficiency percentage of a system is the fraction—

''(i) the numerator of which is the total useful electrical, thermal, and mechanical power produced by the system at normal operating rates, and expected to be consumed in its normal application, and

''(ii) the denominator of which is the higher heating value of the primary fuel sources for the system.

''(B) DETERMINATIONS MADE ON BTU BASIS.—The energy efficiency percentage and the percentages under paragraph (1)(C) shall be determined on a Btu basis.

''(C) INPUT AND OUTPUT PROPERTY NOT INCLUDED.—The term 'combined heat and power system property' does not include property used to transport the energy source to the facility or to distribute energy produced by the facility.

''(D) CERTAIN EXCEPTION NOT TO APPLY.—The first sentence of the matter in subsection (a)(3) which follows subparagraph (D) thereof shall not apply to combined heat and power system property.

''(3) SYSTEMS USING BAGASSE.—If a system is designed to use bagasse for at least 90 percent of the energy source—

''(A) paragraph (1)(D) shall not apply, but

''(B) the amount of credit determined under subsection (a) with respect to such system shall not exceed the amount which bears the same ratio to such amount of credit (determined without regard to this paragraph) as the energy efficiency percentage of such system bears to 60 percent.

''(4) NONAPPLICATION OF CERTAIN RULES.—For purposes of determining if the term 'combined heat and power system property' includes technologies which generate electricity or mechanical power using back-pressure steam turbines in place of existing pressure-reducing valves or which make use of waste heat from industrial processes such as by using organic rankin, stirling, or kalina heat engine systems, paragraph (1) shall be applied without regard to subparagraphs (C) and (D) thereof .''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 2005, in taxable years ending after such date, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SEC. 306. THREE-YEAR APPLICABLE RECOVERY PERIOD FOR DEPRECIATION OF QUALIFIED ENERGY MANAGEMENT.

(a) IN GENERAL.—Section 168(e)(3)(A) of the Internal Revenue Code of 1986 (defining 3-year property) is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and,'' and by adding at the end the following new clause:

''(iv) any qualified energy management device.''.

(b) DEFINITION OF QUALIFIED ENERGY MANAGEMENT DEVICE.—Section 168(i) of the Internal Revenue Code of 1986 (relating to definitions and special rules) is amended by inserting at the end the following new paragraph:

''(18) QUALIFIED ENERGY MANAGEMENT DEVICE.—

''(A) IN GENERAL.—The term 'qualified energy management device' means any energy management device which is placed in service before January 1, 2015, by a taxpayer who is a supplier of electric energy or a provider of electric energy services.

''(B) ENERGY MANAGEMENT DEVICE.—For purposes of subparagraph (A), the term 'energy management device' means any meter or metering device which is used by the taxpayer—

''(i) to measure and record electricity usage data on a time-differentiated basis in at least 4 separate time segments per day, and

''(ii) to provide such data on at least a monthly basis to both consumers and the taxpayer.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act, in taxable years ending after such date.

SEC. 307. THREE-YEAR APPLICABLE RECOVERY PERIOD FOR DEPRECIATION OF QUALIFIED WATER SUBMETERING DEVICES.

(a) IN GENERAL.—Section 168(e)(3)(A) of the Internal Revenue Code of 1986 (defining 3-year property), as amended by section 306, is amended by striking ''and'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting '', and,'' and by adding at the end the following new clause:

''(v) any qualified water submetering device.''.

(b) DEFINITION OF QUALIFIED WATER SUBMETERING DEVICE.—Section 168(i) of the Internal Revenue Code of 1986 (relating to definitions and special rules), as amended by section 306, is amended by inserting at the end the following new paragraph:

''(19) QUALIFIED WATER SUBMETERING DEVICE.—

''(A) IN GENERAL.—The term 'qualified water submetering device' means any water submetering device which is placed in service before January 1, 2015, by a taxpayer who is an eligible resupplier with respect to the unit for which the device is placed in service.

''(B) WATER SUBMETERING DEVICE.—For purposes of this paragraph, the term 'water submetering device' means any submetering device which is used by the taxpayer—

''(i) to measure and record water usage data, and

''(ii) to provide such data on at least a monthly basis to both consumers and the taxpayer.

''(C) ELIGIBLE RESUPPLIER.—For purposes of subparagraph (A), the term 'eligible resupplier' means any taxpayer who purchases and installs qualified water submetering devices in every unit in any multi-unit property.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act, in taxable years ending after such date.

SA 4733. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. DEPLOYMENT OF NEW TECHNOLOGIES TO REDUCE OIL USE IN TRANSPORTATION.

(a) FUEL FROM CELLULOSIC BIOMASS.—

(1) IN GENERAL.—The Secretary of Energy shall provide deployment incentives under this subsection to encourage a variety of projects to produce transportation fuel from cellulosic biomass, relying on different feedstocks in different regions of the United States.

(2) PROJECT ELIGIBILITY.—Incentives under this subsection shall be provided on a competitive basis to projects that produce fuel that—

(A) meet United States fuel and emission specifications;

(B) help diversify domestic transportation energy supplies; and

(C) improve or maintain air, water, soil, and habitat quality.

(3) INCENTIVES.—Incentives under this subsection may consist of—

(A) loan guarantees under section 1510 of the Energy Policy Act of 2005 (42 U.S.C. 16501), subject to section 1702 of that Act (22 U.S.C. 16512), for the construction of production facilities and supporting infrastructure; or

(B) production payments through a reverse auction in accordance with paragraph (4).

(4) REVERSE AUCTION.—

(A) IN GENERAL.—In providing incentives under this subsection, the Secretary of Energy shall—

(i) issue regulations under which producers of fuel from cellulosic biomass may bid for production payments under paragraph (3)(B); and

(ii) solicit bids from producers of different classes of transportation fuel, as the Secretary of Energy determines to be appropriate.

(B) REQUIREMENT.—The rules under subparagraph (A) shall require that incentives be provided to the producers that submit the lowest bid (in terms of cents per gallon) for each class of transportation fuel from which the Secretary of Energy solicits a bid.

(b) ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ADJUSTED FUEL ECONOMY.—The term ''adjusted fuel economy'' means the average fuel economy of a manufacturer for all light duty motor vehicles produced by the manufacturer, adjusted such that the fuel economy of each vehicle that qualifies for a credit shall be considered to be equal to the average fuel economy for the weight class of the vehicle for model year 2002.

(B) ADVANCED LEAN BURN TECHNOLOGY MOTOR VEHICLE.—The term ''advanced lean burn technology motor vehicle'' means a passenger automobile or a light truck with an internal combustion engine that—

(i) is designed to operate primarily using more air than is necessary for complete combustion of the fuel;

(ii) incorporates direct injection; and

(iii) achieves at least 125 percent of the city fuel economy of vehicles in the same size class as the vehicle for model year 2002.

(C) ADVANCED TECHNOLOGY VEHICLE.—The term ''advanced technology vehicle'' means a light duty motor vehicle that—

(i) is a hybrid motor vehicle or an advanced lean burn technology motor vehicle; and

(ii) meets—

(I) the Bin 5 Tier II emission standard established in regulations issued by the Administrator of the Environmental Protection Agency under section 202(i) of the Clean Air Act (42 U.S.C. 7521(i)), or a lower-numbered Bin emission standard;

(II) any new emission standard for fine particulate matter prescribed by the Administrator under that Act (42 U.S.C. 7401 et seq.); and

(III) at least 125 percent of the base year city fuel economy for the weight class of the vehicle.

(D) ENGINEERING INTEGRATION COSTS.—The term ''engineering integration costs'' includes the cost of engineering tasks relating to—

(i) incorporating qualifying components into the design of advanced technology vehicles; and

(ii) designing new tooling and equipment for production facilities that produce qualifying components or advanced technology vehicles.

(E) HYBRID MOTOR VEHICLE.—The term ''hybrid motor vehicle'' means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are—

(i) an internal combustion or heat engine using combustible fuel; and

(ii) a rechargeable energy storage system.

(F) QUALIFYING COMPONENTS.—The term ''qualifying components'' means components that the Secretary of Energy determines to be—

(i) specially designed for advanced technology vehicles; and

(ii) installed for the purpose of meeting the performance requirements of advanced technology vehicles.

(2) MANUFACTURER FACILITY CONVERSION AWARDS.—The Secretary of Energy shall provide facility conversion funding awards under this subsection to automobile manufacturers and component suppliers to pay not more than 30 percent of the cost of—

(A) reequipping or expanding an existing manufacturing facility in the United States to produce—

(i) qualifying advanced technology vehicles; or

(ii) qualifying components; and

(B) engineering integration performed in the United States of qualifying vehicles and qualifying components.

(3) PERIOD OF AVAILABILITY.—An award under paragraph (2) shall apply to—

(A) facilities and equipment placed in service before December 30, 2017; and

(B) engineering integration costs incurred during the period beginning on the date of enactment of this Act and ending on December 30, 2017.

(4) IMPROVEMENT.—The Secretary of Energy shall issue regulations that require that, in order for an automobile manufacturer to be eligible for an award under this subsection during a particular year, the adjusted average fuel economy of the manufacturer for light duty vehicles produced by the manufacturer during the most recent year for which data are available shall be not less than the average fuel economy for all light duty motor vehicles of the manufacturer for model year 2002.

SA 4734. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Finding—

(1) While Americans are forced to pay over $3.00 per gallon of gasoline, and the minimum wage has been stuck at $5.15 an hour for the last nine years, former Exxon Mobil CEO Lee R. Raymond was provided with a golden parachute from his former company totaling $398 million.

SA 4734. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

Amend the title so as to read: ''Lee R. Raymond Oil Profitability Act.''.

SA 4736. Mr. BIDEN submitted an amendment intended to be proposed to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF 2005 ENERGY ACT FOSSIL FUEL ENERGY TAX INCENTIVES.

(a) REPEAL.—The provisions of, and the amendments made by, subtitle B of title XIII of the Energy Policy Act of 2005 are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

(b) EFFECTIVE DATE.—This section shall take effect as if the provisions described in subsection (a) had never been included in the Energy Policy Act of 2005.

SA 4737. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RENEWABLE FUELS PROMOTION.

(a) PROHIBITION ON RESTRICTION OF INSTALLATION OF RENEWABLE FUEL PUMPS.—

(1) IN GENERAL.—Title I of the Petroleum Marketing Practices Act (15 U.S.C. 2801 et seq.) is amended by adding at the end the following:

''SEC. 107. PROHIBITION ON RESTRICTION OF INSTALLATION OF RENEWABLE FUEL PUMPS.

''(a) DEFINITION OF FRANCHISE-RELATED DOCUMENT.—In this section, the term 'franchise-related document' means—

''(1) a franchise under this Act; and

''(2) any other contract or directive of a franchisor relating to terms or conditions of the sale of fuel by a franchisee.

''(b) PROHIBITIONS.—

''(1) IN GENERAL.—Notwithstanding any provision of a franchise-related document in effect on the date of enactment of this section, no franchisee or affiliate of a franchisee shall be restricted from—

''(A) installing on the marketing premises of the franchisee a renewable fuel pump;

''(B) converting an existing tank and pump on the marketing premises of the franchisee for renewable fuel use;

''(C) advertising (including through the use of signage or logos) the sale of any renewable fuel; or

''(D) selling renewable fuel in any specified area on the marketing premises of the franchisee (including any area in which a name or logo of a franchisor or any other entity appears).

''(2) ENFORCEMENT.—Any restriction described in paragraph (1) that is contained in a franchise-related document and in effect on the date of enactment of this section—

''(A) shall be considered to be null and void as of that date; and

''(B) shall not be enforced under section 105.

''(c) EXCEPTION TO 3-GRADE REQUIREMENT.—No franchise-related document that requires that 3 grades of gasoline be sold by the applicable franchisee shall prevent the franchisee from selling a renewable fuel in lieu of 1 grade of gasoline.''.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 101(13) of the Petroleum Marketing Practices Act (15 U.S.C. 2801(13)) is amended by adjusting the indentation of subparagraph (C) appropriately.

(B) TABLE OF CONTENTS.—The table of contents of the Petroleum Marketing Practices Act (15 U.S.C. 2801 note) is amended—

(i) by inserting after the item relating to section 106 the following:

''Sec. 107. Prohibition on restriction of installation of renewable fuel pumps.'';

and

(ii) by striking the item relating to section 202 and inserting the following:

''Sec. 202. Automotive fuel rating testing and disclosure requirements.''.

(b) REFUELING.—The Energy Policy Act of 1992 is amended by inserting after section 304 (42 U.S.C. 13213) the following:

''SEC. 304A. FEDERAL FLEET FUELING CENTERS.

''(a) IN GENERAL.—Not later than January 1, 2008, the appropriate Federal agency shall install not less than 1 renewable fuel pump at every Federal fleet fueling center in the United States.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.''.

(c) REPORT.—Not later than October 31 of each year beginning after the date of enactment of this Act, the President shall submit to Congress a report that describes the progress of the agencies of the Federal government (including the Executive Office of the President) in complying with—

(1) the Energy Policy Act of 1992 (42 U.S.C. 13201 et seq.);

(2) Executive Order 13149 (65 Fed. Reg. 24595; relating to greening the government through Federal fleet and transportation efficiency); and

(3) the Federal fleet fueling center requirement under section 304A of the Energy Policy Act of 1992 (as added by subsection (b)).

SA 4738. Mr. KYL (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ROYALTY RELIEF FOR PRODUCTION OF OIL AND GAS.

(a) PRICE THRESHOLDS.—Notwithstanding any other provision of law, the Secretary shall place limitations based on market price on the royalty relief granted under any lease for the production of oil or natural gas on Federal land (including submerged land) entered into by the Secretary on or after the date of enactment of this Act.

(b) CLARIFICATION OF AUTHORITY TO IMPOSE PRICE THRESHOLDS FOR CERTAIN LEASE SALES.—Congress reaffirms the authority of the Secretary under section 8(a)(1)(H) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)(H)) to vary, based on the price of production from a lease, the suspension of royalties under any lease subject to section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (Public Law 104–58; 43 U.S.C. 1337 note).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Subcommittee on Forestry, Conservation, and Rural Revitalization of the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on July 27, 2006, at 10 a.m. in SR–328A, Russell Senate Office Building. The purpose of this subcommittee hearing will be to conduct an oversight hearing on the U.S. Department of Agriculture use of technical service providers.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 27, 2006, at 10 a.m., in open session to consider the following nomination: Lieutenant General James T. Conway, USMC, for appointment to the grade of General and to be Commandant of the Marine Corps.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DEMINT. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation meet to consider the following nominations on Thursday, July 27, 2006, at 11 a.m.:

Charles Nottingham to be a Member of the Surface Transportation Board; Robert Sumwalt to be a Member of the National Transportation Safety Board; Nathaniel Wienecke to be Assistant Secretary for Legislative and Intergovernmental Affairs, Department of Commerce; Jay Cohen to be Under Secretary for Science and Technology, Department of Homeland Security; and Sean Connaughton to be Administrator of the Maritime Administration, Department of Transportation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DEMINT. Mr. President, I ask unanimous consent that on Thursday, July 27th, 2006, at 9:30 a.m. the Committee on Environment and Public

Works be authorized to hold a hearing to discuss the Stafford Act: A Path Forward for the Nation's Emergency Preparedness and Response System.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, July 27, 2006, at 10 a.m. in 215 Dirksen Senate Office Building, to review and make recommendations on proposed legislation implementing the U.S.-Peru Trade Promotion Agreement, and to consider favorably reporting S. 3495, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 9:30 a.m. to hold a nominations hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 2:30 p.m. to hold a nominations hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, July 27, 2006, at 10 a.m. in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, July 27, 2006, at 10 a.m. for a business meeting to consider pending committee business.

Agenda

Legislation

1. S. 2590, Federal Funding Accountability and Transparency Act of 2006;
2. S. , Post-Katrina Emergency Management Reform Act of 2006;
3. S. 1838, Federal and District of Columbia Government Real Property Act of 2005;
4. S. 3492, Federal Workforce Performance Appraisal and Management Improvement Act of 2006;
5. S. 3584, Federal Supervisor Training Act of 2006.

Post Office Naming Bills

1. S. 3613, to designate the facility of the USPS located at 2951 New York Highway 43 in Averill Park, New York, as the ''Major George Quamo Post Office Building;''
2. H.R. 4246, to designate the facility of the USPS located at 8135 Forest Lane in Dallas, Texas, as the ''Dr. Robert E. Price Post Office Building;''
3. H.R. 5104, to designate the facility of the USPS located at 1750 16th Street South in St. Petersburg, Florida, as the ''Morris W. Milton Post Office;''
4. H.R. 5169, to designate the facility of the USPS located at 1310 Highway 64 NW in Ramsey, Indiana, as the ''Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office;''
5. H.R. 5540, to designate the facility of the USPS located at 217 Southeast 2nd Street in Dimmitt, Texas, as the ''Sergeant Jacob Dan Dones Post Office.''

Post Office Naming Bills—Tentative

1. H.R. 4646, to designate the facility of the U.S. Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the ''Coach John Wooden Post Office Building;''
2. S. 2555, to designate the facility of the U.S. Postal Service located at 2633 11th Street in Rock Island, Illinois, as the ''Lane Evans Post Office Building;''
3. S. 2719/H.R. 5107, to designate the facility of the U.S. Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building.''

Nominations

1. Paul A. Denett to be Administrator for Federal Procurement Policy, Office of Management and Budget;
2. The Honorable Anna Blackburne-Rigsby to be Associate Judge, District of Columbia Court of Appeals;
3. Phyllis D. Thompson to be Associate Judge, District of Columbia Court of Appeals;
4. Jennifer M. Anderson to be Associate Judge, Superior Court of the District of Columbia;
5. The Honorable Mickey D. Barnett to be Governor, U.S. Postal Service;
6. Katherine C. Tobin to be Governor, U.S. Postal Service;
7. Ellen C. Williams to be Governor, U.S. Postal Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, July 27, 2006, at 10:45 a.m. in Senate Dirksen Building Room 226.

Tentative Agenda

I. Nominations

Kimberly Ann Moore, to be U.S. Circuit Judge for the Federal Circuit; Frances M. Tydingco-Gatewood, to be Judge for the District Court of Guam; Steven G. Bradbury, to be an Assistant Attorney General for the Office of Legal Counsel; R. Alexander Acosta, to be U.S. Attorney for the Southern District of Florida.

II. Bills

S. 2453, National Security Surveillance Act of 2006, Specter;

S. 2455, Terrorist Surveillance Act of 2006, DeWine, Graham;

S. 2468, A bill to provide standing for civil actions for declaratory and injunctive relief to persons who refrain from electronic communications through fear of being subject to warrantless electronic surveillance for foreign intelligence purposes, and for other purposes, Schumer;

S. 3001, Foreign Intelligence Surveillance Improvement and Enhancement Act of 2006, Specter, Feinstein;

S. 2831, Free Flow of Information Act of 2006, Lugar, Specter, Graham, Schumer, Biden, Grassley;

S. 155, Gang Prevention and Effective Deterrence Act of 2005, Feinstein, Hatch, Grassley, Cornyn, Kyl, Specter;

S. 1845, Circuit Court of Appeals Restructuring and Modernization Act of 2005, Ensign, Kyl;

S. 2679, Unsolved Civil Rights Crime Act, Talent, DeWine, Cornyn.

III. Matters

Subpoenas Relating to ABA Reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a markup on ''The Small Business Reauthorization and Improvements Act of 2006,'' on Thursday, July 27, 2006, beginning at 10 a.m., in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, July 27, 2006, to hold a hearing to consider the nominations of Patrick W. Dunne to be Assistant Secretary for Policy & Planning and Thomas E. Harvey to be Assistant Secretary for Congressional Affairs, Department of Veterans' Affairs. The hearing will take place in room 418 of the Russell Senate Office Building at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, July 27, 2006, to hold a markup to consider the nominations of Patrick W. Dunne to be Assistant Secretary for Policy & Planning and Thomas E. Harvey to be Assistant

Secretary for Congressional Affairs, Department of Veterans' Affairs.

The meeting will take place in the Reception Room off the Senate floor in the Capitol following the first rollcall of the Senate after 1 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DEMINT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 27, 2006, at 2:30 p.m., to hold a closed meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. DEMINT. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet tomorrow, July 27, 2006, from 10 a.m.–1 p.m. in Dirksen 106 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, July 27, 2006, at 2:30 p.m., for a hearing regarding ''Responsible Resource Management at the Nation's Health Access Agency''.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Terrorism, Technology and Homeland Security be authorized to meet to conduct a hearing on ''Detecting Smuggled Nuclear Weapons'' on Thursday, July 27, 2006, at 2:30 p.m. in Dirksen 226. The witness list will be provided when it becomes available.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. DEMINT. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 2:30 p.m.

The purpose of the hearing is to receive testimony on S. 3638, to encourage the Secretary of the Interior to participate in projects to plan, design, and construct water supply projects and to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to encourage the design, planning, and construction of projects to treat impaired surface water, reclaim, and reuse impaired groundwater, and provide brine disposal in the State of California; S. 3639, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area Desalination Demonstration and Reclamations Project, and for other purposes; H.R. 2341, to amend the Reclamation Wastewater and Goundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas; and H.R. 3418, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the central Texas water recycling and reuse project, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. I ask unanimous consent that Ana Romero Jurrison and Lesley Henderson, interns in my office, be permitted privileges of the floor during the consideration of S. 3711.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, thank you very much. First, I want to do a housekeeping piece of business. I ask unanimous consent that Kristina Rolph, a staffer with the Energy Committee, be granted floor privileges for the consideration of S. 3711.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Mr. President, I ask unanimous consent that during the debate on S. 3711, Amy Jasperson and David Mitchell, fellows in the office of Senator BILL NELSON, be granted the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING SPELMAN COLLEGE ON ITS 125TH ANNIVERSARY

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 541 which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 541) congratulating Spelman College upon its 125th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 541) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 541

Whereas, in 1881, Spelman College was established by Sophia B. Packard and Harriet E. Giles, school teachers and Baptist missionaries, in Atlanta, Georgia, for the purpose of educating African-American women and girls;

Whereas as a result of the benevolence of John D. Rockefeller, Sr., and Laura Spelman Rockefeller, the name of the institution was changed from ''Atlanta Baptist Female Seminary'' to ''Spelman Seminary'' in honor of the Spelman family;

Whereas the curriculum expanded to include high school and college classes, and the seminary conferred its first high school diplomas in 1887, and its first college degrees in 1901;

Whereas in 1924, Spelman Seminary officially became Spelman College and grew to become a leading undergraduate institution for African-American women;

Whereas Spelman College was ranked among the top 75 Best Liberal Arts Colleges according to U.S. News & World Report, 2005 edition;

Whereas the Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for African-American students accepted to medical school, and Spelman is 1 of 6 institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education;

Whereas Spelman's ninth President, Beverly Daniel Tatum, has initiated a strategic plan for Spelman (''Spelman ALIVE'') that includes 5 goals: Academic excellence, Leadership development, Improving the infrastructure, Visibility of accomplishments of the campus community, and Exemplary customer service, all designed to create a vision for Spelman of ''Nothing Less Than the Best''; and

Whereas Spelman College has prepared more than 6 generations of African American women to reach the highest levels of academic, community, and professional achievement: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Spelman College on 125th anniversary; and

(2) commends the President of Spelman College, Dr. Beverly Daniel Tatum, and the administration, faculty, staff, students, and alumnae of the College for their outstanding achievements and contribution to African American education, history, and culture.

Mr. ISAKSON. Mr. President, I am pleased to rise today and be joined by my fellow Senator from Georgia, Senator CHAMBLISS, in recognition of the 125th anniversary of Spelman College.

Spelman College is a historically Black college in the State of Georgia and a part of the Atlanta University complex which is the largest consortium of historically Black universities and colleges in the United States of America.

The resolution congratulates the student body, the faculty, the founders, and in particular Dr. Beverly Daniel

Tatum, and the administration, the faculty, and staff of Spelman College.

Spelman College was founded in Atlanta, GA, 1881 by Baptist missionaries and teachers Sophia B. Packard and Harriet E. Giles for the purpose of educating African-American women and girls.

Due to the benevolence of John D. Rockefeller, Sr.—Senator ROCKEFELLER's great-grandfather—and Laura Spelman Rockefeller, the name of the institution was changed from Atlanta Baptist Female Seminary to Spelman Seminary in honor of the Spelman family.

A Rockefeller has since sat on the Spelman College Board of Trustees, including Senator ROCKEFELLER's daughter, Valerie Rockefeller Wayne, who currently sits on the Board of Trustees.

Spelman later expanded its curriculum to include high school and college classes, and conferred its first high school degree in 1887, and its first college degree in 1901.

In 1924 Spelman Seminary became Spelman College and grew to become a leading undergraduate institution for African-American women.

Spelman is ranked among the top 75 best liberal arts college according to U.S. News and World Report, 2005 edition.

The Association of Medical Colleges ranks Spelman fifth among undergraduate programs for African-American students accepted to medical school; and not surprisingly Spelman is one of six institutions designated by the National Science Foundation and NASA as a Model Institution for Excellence in undergraduate science and math.

The resolution also commends Dr. Tatum for her excellent work and vision of the future for the college. It further calls attention to her initiation of a strategic plan for Spelman called ''Spelman ALIVE'' that includes five goals designated to create a vision of Spelman of academic, community, and professional achievement: academic excellence, leadership development, improving the infrastructure, visibility of accomplishments of the campus community, and exemplary customer service.

It is both an honor and privilege for me today on behalf of the State of Georgia and I think the Senate to unanimously commend Spelman College on its achievement of 125 continuous years of service to African-American women in the United States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise today to join my friend and colleague, Senator ISAKSON from Georgia, to congratulate Spelman College, the country's oldest historically Black college for women on its 125th anniversary.

Spelman College was established in 1881 by two school teachers and Baptist missionaries, Sophia B. Packard and Harriet E. Giles, for the purpose of educating African-American women and girls. Located in Atlanta, GA, and started in the basement of the Friendship Baptist Church, the college has come a long way from its beginnings, growing into a 32-acre campus. Spelman is also a member of the largest group of historically black institutions in the world including Morehouse University, the Morehouse School of Medicine, Clark Atlanta University, and the Interdenominational Theological Center.

Spelman has a very diverse student population with 2,100 students from 41 States and 15 foreign countries. In 2005, Spelman ranked among the top 75 liberal arts colleges according to U.S. News & World Report. Eighty-four percent of the faculty at Spelman hold a Ph.D. or higher, and the student teacher ratio is 11 to 1, making Spelman a top choice for African-American women to obtain an undergraduate degree. Many of their students seek advance degrees. In 2000, Spelman ranked second in the country in placing African-American students in medical schools.

The Federal Government has seen the promise that the students and faculty at Spelman possess and, in 2003, the National Institutes of Health National Center for Minority Health and Health Disparities awarded the college a $4.2 million grant for research to help eliminate health disparities among minority groups. Spelman was one of only six institutions to receive this funding. Also in 2003, National Aeronautics and Space Administration, NASA Awarded the college with a $4.5 million grant to enhance its Women in Science and Engineering, WISE, scholars program.

Spelman College also realizes the need to give back to the African-American community. With the help of Federal funding, the school created the Spelman College Health and Wellness Initiative. This program is helping to gain a better understanding of the many factors that impact the health of young African-American women. The Health and Wellness Initiative is also helping to create preventive strategies for the unique circumstances that apply to all African-American women. These strategies are currently being developed and used to prevent cancer, cardiovascular diseases, diabetes, and HIV/AIDS in African-American women.

In 2005, six Spelman women qualified for the International RoboCup 2005 Four-Legged Robot soccer competition in Osaka, Japan. The students created computer programs for the robots to compete in the soccer tournament, requiring the robots play without human intervention. Of the 24 teams that qualified internationally, the SpelBots, as the team is called, were the first and only Historically Black College and University, the only all women institution, and the only United States undergraduate institution to qualify for the tournament. When looking back years from now at historically Black colleges and robotics research, all searches will lead to Spelman.

Spelman graduates have gone on to be professionals such as doctors, nurses, lawyers, teachers, engineers, and chemists. I want to congratulate Spelman College on their success and developing thousands of young women into strong business and community leaders over the past 125 years.

I would also like to recognize the president of Spelman College, my friend, Dr. Beverly Daniel Tatum, and the administration, faculty, staff, students and alumnae of the college for their leadership, outstanding achievements, and contributions that have made Spelman such a fine institution and a great citizen of our State. It is my most sincere hope that Spelman will continue to thrive and prosper for many years to come.

Mr. ROCKEFELLER. Mr. President, today I rise with my colleagues from Georgia, Mr. ISAKSON and Mr. CHAMBLISS, to congratulate Spelman College on the occasion of its 125th anniversary.

Spelman College, then known as ''Atlanta Baptist Female Seminary,'' was established in 1881 in Atlanta, GA, by Sophia B. Packard and Harriet E. Giles, schoolteachers and Baptist missionaries, who created the school for the purpose of educating African-American women and girls. The institution kindly thanked my great-grandparents John D. Rockefeller, Sr. and Laura Spelman Rockefeller after their donation to the school by changing the school's name to ''Spelman Seminary'' in honor of the Spelman family in 1924. I am enormously proud that my family has been associated with this school for the last 80-plus years and of the achievements by the school and especially its alumnae. Today, my daughter, Valerie Rockefeller Wayne, serves on the board of trustees and she continues our family's proud connection to this important institution.

The school grew to include high school and college classes and bestowed its first high school diplomas in 1887 and its first college degrees in 1901. The school expanded to become a leading undergraduate institution for African-American women. In the 2005 edition of U.S. News and World Report, Spelman College was ranked among the top 75 best liberal arts colleges. The Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for Black students accepted to medical school and Spelman is one of six institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education.

We commend Spelman's ninth president, Beverly Daniel Tatum, who has initiated a strategic plan for Spelman titled ''Spelman ALIVE'' that includes five goals: academic excellence, leadership development, improving the infrastructure, visibility of accomplishments of the campus community, and

exemplary customer service, all designed to create a vision for Spelman of ''Nothing Less than the Best.'' For 125 years, Spelman has been at the forefront of education in our Nation, and with this plan I am confident it will continue to grow and thrive.

Spelman College has prepared more than six generations of African-American women to reach the highest levels of academic, community, and professional achievement. My cosponsors Mr. ISAKSON and Mr. CHAMBLISS and I also thank the administration, faculty, staff, students, and alumnae of the college for their outstanding achievements and contribution to African-American education, history, and culture.

SENATE PHOTOGRAPHS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 543, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 543) temporarily suspending the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 543) was agreed to, as follows:

S. RES. 543

Resolved, That—

(1) paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings (prohibiting the taking of pictures in the Senate Chamber) shall be temporarily suspended for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery;

(2) photographs permitted under paragraph (1) may only be taken at a time when the Senate is in recess;

(3) photographs permitted to be taken under paragraph (1) may only be used in relation to United States District Court Civil Action No. 04-0026; and

(4) the Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements for implementation of paragraph (1), which arrangements shall provide that there will be no disruption to the business of the Senate.

GOVERNMENT OF ROMANIA'S BAN ON INTERCOUNTRY ADOPTIONS AND THE WELFARE OF ORPHANED OR ABANDONED CHILDREN IN ROMANIA

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 359.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 359) concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 359) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 359

Whereas following the execution of Romanian President Nicolae Ceausescu in 1989, it was discovered that more than 100,000 underfed, neglected children throughout Romania were living in hundreds of squalid and inhumane institutions;

Whereas citizens of the United States responded to the dire situation of these children with an outpouring of compassion and assistance to improve conditions in those institutions and to provide for the needs of abandoned children in Romania;

Whereas, between 1990 and 2004, citizens of the United States adopted more than 8,200 Romanian children, with a similar response from the citizens of Western Europe;

Whereas the United Nations Children's Fund (UNICEF) reported in March 2005 that more than 9,000 children a year are abandoned in Romania's maternity wards or pediatric hospitals and that child abandonment in Romania in ''2003 and 2004 was no different from that occurring 10, 20, or 30 years ago'';

Whereas there are approximately 37,000 orphaned or abandoned children in Romania today living in state institutions, an additional 49,000 living in temporary arrangements, such as foster care, and an unknown number of children living on the streets and in maternity and pediatric hospitals;

Whereas, on December 28, 1994, Romania ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption which recognizes that ''intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin'';

Whereas intercountry adoption offers the hope of a permanent family for children who are orphaned or abandoned by their biological parents;

Whereas UNICEF's official position on intercountry adoption, in pertinent part, states: ''For children who cannot be raised by their own families, an appropriate alternative family environment should be sought in preference to institutional care, which should be used only as a last resort and as a temporary measure. Inter-country adoption is one of a range of care options which may be open to children, and for individual children who cannot be placed in a permanent family setting in their countries of origin, it may indeed be the best solution. In each case, the best interests of the individual child must be the guiding principal in making a decision regarding adoption.'';

Whereas unsubstantiated allegations have been made about the fate of children adopted from Romania and the qualifications and motives of those who adopt internationally;

Whereas in June 2001, the Romanian Adoption Committee imposed a moratorium on intercountry adoption, but continued to accept new intercountry adoption applications and allowed many such applications to be processed under an exception for extraordinary circumstances;

Whereas on June 21, 2004, the Parliament of Romania enacted Law 272/2004 on ''the protection and promotion of the rights of the child'', which creates new requirements for declaring a child legally available for adoption;

Whereas on June 21, 2004, the Parliament of Romania enacted Law 273/2004 on adoption, which prohibits intercountry adoption except by a child's biological grandparent or grandparents;

Whereas there is no European Union law or regulation restricting intercountry adoptions to biological grandparents or requiring that restrictive laws be passed as a prerequisite for accession to the European Union;

Whereas the number of Romanian children adopted domestically is far less than the number abandoned and has declined further since enactment of Law 272/2004 and 273/2004 due to new, overly burdensome requirements for adoption;

Whereas prior to enactment of Law 273/2004, 211 intercountry adoption cases were pending with the Government of Romania in which children had been matched with adoptive parents in the United States, and approximately 1,500 cases were pending in which children had been matched with prospective parents in Western Europe; and

Whereas the children of Romania, and all children, deserve to be raised in permanent families: Now, therefore, be it

Resolved, That the Senate—

(1) supports the desire of the Government of Romania to improve the standard of care and well-being of children in Romania;

(2) urges the Government of Romania to complete the processing of the intercountry adoption cases which were pending when Law 273/2004 was enacted;

(3) urges the Government of Romania to amend its child welfare and adoption laws to decrease barriers to adoption, both domestic and intercountry, including by allowing intercountry adoption by persons other than biological grandparents;

(4) urges the Secretary of State and the Administrator of the United States Agency for International Development to work collaboratively with the Government of Romania to achieve these ends; and

(5) requests that the European Union and its member states not impede the Government of Romania's efforts to place orphaned or abandoned children in permanent homes in a manner that is consistent with Romania's obligations under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

EXECUTIVE SESSION

MUTUAL LEGAL ASSISTANCE TREATY WITH GERMANY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaty on today's Executive Calendar: No. 13. I further ask unanimous consent that the treaty be considered as having passed through

its various parliamentary stages, up to and including the presentation of the resolution of ratification; that any statements be printed in the CONGRESSIONAL RECORD as if read; and that the Senate proceed to a vote on the resolution of ratification; and further, that when the resolution of ratification is voted on, the motion to reconsider be laid upon the table, the President be notified of the Senate's action, and that following the disposition of the treaty, the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I support the Treaty on Mutual Legal Assistance with Germany, a close and trusted partner with the United States on law enforcement matters.

I would like to address one issue that arose during the review of the treaty. Article 12(1) of the treaty provides that ''Each Party may at the request of the other Party, within its possibilities and under the conditions prescribed by its domestic law . . . take the necessary steps for the surveillance of telecommunications.''

After the revelation last December of the program of warrantless surveillance by the National Security Agency, NSA, the question arose whether the treaty would provide another purported legal authority for the NSA program. My view is that it does not. But the President's lawyers have proffered highly dubious theories for the program, and the Senate should not make assumptions about what the executive branch thinks about a treaty, because ultimately it is the President, not the Senate, who is charged with ''faithfully executing'' it. So I asked the executive branch its legal view about whether the treaty provides any additional legal authority for electronic surveillance—whether for the NSA program or any other program.

On April 6, 2006, I wrote the Attorney General of the United States to ask him to confirm that the treaty does not authorize warrantless surveillance. On July 3, after nearly 3 months of deliberation, the Department of Justice responded to my letter. Why it took so long to answer this simple question is unclear. But the response itself is clear: the Justice Department letter concludes that the treaty with Germany would ''in no way expand current authority under U.S. law to conduct electronic surveillance.''

I welcome the Justice Department's response. While I may disagree with the Department about the scope of the current authority under U.S. law to conduct electronic surveillance, I agree with the Department's interpretation that Article 12(1) does not expand that authority.

I urge all Senators to support this treaty.

I ask unanimous consent that both letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, April 6, 2006.

Hon. ALBERTO R. GONZALES,
Attorney General of the United States, Washington, DC.

DEAR JUDGE GONZALES: Pending before the Senate is a Treaty on Mutual Legal Assistance in Criminal Matters with Germany (Treaty Doc. 108–27).

Article 12(1) of the Treaty provides that each party may request that the other party, ''under the conditions prescribed by its domestic law, take the necessary steps for the surveillance of telecommunications.''

I write to request that you confirm that the Treaty does not authorize warrantless surveillance, including any surveillance authorized by the program of surveillance on which you testified before the Committee on the Judiciary on February 6, 2006.

Sincerely,

JOSEPH R. BIDEN, Jr.,
Ranking Minority Member.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington DC, July 3, 2006.

Hon. JOSEPH R. BIDEN, Jr.,
Ranking Minority Member, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR SENATOR BIDEN: This responds to your letter, dated April 6, 2006, to the Attorney General inquiring whether Article 12(1) of the Treaty on Mutual Legal Assistance in Criminal Matters with Germany would authorize warrantless surveillance, including under the Terrorist Surveillance Program described by the President.

By its terms, Article 12 would provide that ''[e]ach Party may at the request of the other Party, within its possibilities and under the conditions of its domestic law[(1)] take the necessary steps for the surveillance of telecommunications.'' (Emphasis added.). Accordingly, the Treaty would not enlarge existing surveillance authorities.

The Terrorist Surveillance Program is a narrowly focused early warning system, targeting for interception only those international communications for which there is probable cause to believe that at least one of the parties to the communication is a member or agent of al Qaeda or an affiliated terrorist organization. It is a critical intelligence tool for protecting the United States from another catastrophic al Qaeda attack in the midst of an armed conflict. It is not a means of collecting information for foreign criminal investigations.

In sum, the MLAT with Germany would in no way expand current authority under U.S. law to conduct electronic surveillance. We hope this information is helpful. Please do not hesitate to contact this office if we may be of assistance with future matters.

Sincerely,

WILLIAM E. MOSCHELLA,
Assistant Attorney General.

Mr. FRIST. Mr. President, I ask for a division vote on the resolution of ratification.

The PRESIDING OFFICER (Mr. ALLEN). A division is requested. Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division, two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification reads as follows:

Resolved (two-thirds of the Senators present concurring therein),

The Senate advised and consents to the ratification of the Treaty between the United States of America and the Federal Republic of Germany on Mutual Legal Assistance in Criminal Matters, signed at Washington on October 14, 2003, and a related exchange of notes (Treaty Doc. 108–27).

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR FRIDAY, JULY 28, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. on Friday, July 28. I further ask unanimous consent that following the prayer and pledge, the time for the two leaders be reserved, and the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, today the Senate continued consideration of S. 3711, the gulf coast Energy bill. This morning we filed cloture on the bill, and that cloture vote will occur at 5:30 p.m. on Monday. I encourage Senators to come to the floor on Friday to speak on the Energy bill.

I notified all Senators actually about a week ago that we would be voting for sure next Monday. Although we are doing our best to accommodate Senators, it is a very important vote, and we will be having it at 5:30 p.m. on Monday. I ask Senators to adjust their schedules so they can be here.

ADAM WALSH BILL

Mr. FRIST. Mr. President, I opened my remarks tonight to say there are a lot of issues being considered. Let me in closing mention a great event we had today for a bill that will get a fair amount of attention—but not the attention it deserves—in affecting people's lives in a very direct way. It is called the Adam Walsh bill, named for a little boy, 6 years of age, who died 25 years ago today.

The bill addresses an issue that has been highlighted a lot, most recently on television, that has to do with sexual predators which had been facilitated a lot by the Internet. This bill establishes two registries. One is for sexual predators. Right now there are about 500,000 we know of in this country; 100,000 we don't know where they are. It establishes a registry across the country, a national registry.

In addition, it will develop a child abuse registry which builds on the recommendations and sponsorship initially of a wonderful nonprofit group

that focuses on the tragedy associated with child abuse, but also more constructively and optimistically about what we need to do. That is called Childhelp, stationed in Arizona. Senator KYL is very familiar with it.

One huge disappointment, though, that occurred this week is that we passed another bill 2 days ago, the Child Custody Protection Act, which focuses on a real tragedy that occurs today, and that is young girls taken, not by their parents, across State lines in order to get an abortion without notifying their parents, flouting the law and not notifying their parents or getting the consent of their parents.

We passed that bill overwhelmingly, with 65 votes, on the floor of the Senate. It passed the House of Representatives months ago, and we are ready to go to conference on that particular bill.

It is very important we go to conference to put an end to this tragedy which occurs all too often in this country. We tried to go to conference. The Democrats on the other side specifically rejected our proposal to go to conference. We put forth a unanimous consent request which was denied, and that is a real tragedy.

I will not proffer that unanimous consent request again right now, but we will be doing so over the coming days. The Democrats have made it very clear that they are going to obstruct the regular order of business in going to conference. I am very disappointed, and I think it is absolutely wrong.

ORDER FOR RECESS

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order, following the remarks of Senator SESSIONS for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

GULF OF MEXICO ENERGY BILL

Mr. SESSIONS. Mr. President, I thank the leader, and I join with him in his excitement in seeing the health care technology bill move. I know how much work he has put into it as a member of the HELP Committee. I have watched that bill for some time, and it would be a tremendous thing. It will save lives and reduce errors. Errors mean people stay in hospitals longer and become disabled more, and many of them die. So reducing errors is a great thing and will help us maintain this fabulous health care system we have, and at the same time, not have costs go through the roof. So I am excited about that also.

Mr. President, I asked the question earlier: What are people objecting to about this Energy bill? We went through the environmental concerns, and I pointed out that we have 4,000 wells which survived some vicious hurricanes, and we haven't had spills. The technology has increased incredibly well. There has not been a significant spill in 26 years, and that one was such that it did not reach the shores of the United States. The last spill that resulted at all from a well impacting the coastal areas was 37 years ago in California, and that ended the drilling off the coast. But we are so much better today. We have so many ways to avoid that, and it is just not happening.

Also, we dealt with the allegation that this is all for big oil companies.

That is exactly wrong.

All of the oil companies will not bid on the lands in the gulf that will be allowed for production under this legislation. Most of them—probably most of them—won't even bid on it. A number will and a number won't. Those who don't bid already have reserves somewhere else, and sizable increases in production of natural gas or oil from the Gulf of Mexico will drive down the value of their reserves. They probably don't even want the oil and gas produced out there, if they already have substantial reserves. That is a bogus argument, the kind that I hope is beyond the Senate. But I hear it is still echoing a bit.

I think some maybe just hate fossil fuels, so they don't want us to have fossil fuels anymore in America. I would like to see us move to nuclear and do some other things, too. Why don't they object to us going down to Venezuela and paying hundreds of millions of dollars to Hugo Chavez for his oil that we bring over here or Saudi Arabia or Iran's oil or Middle Eastern oil in any number of areas or Russian oil and gas. We are not going to stop this. We are going to use oil and gas in America, so why don't we produce it on our lands and keep our money at home.

I would just note that last year, in the balance of payments deficit that we have, the record balance of payments deficit, $200 billion of that deficit was our money we spent in other countries for oil and gas—$200 billion. That is a lot. A big part of our trade deficit is on this one resource. So why in the world wouldn't we want to keep that money at home to produce jobs here, to produce incomes to Americans who will pay taxes to the U.S. Government instead of having to go to these other countries.

Oddly, I just have to note parenthetically that we have done something after many years of battling that is important. In the Energy bill we passed last year, we had some improvements in the law relating to nuclear power. Nuclear power can reduce our demands for natural gas significantly. There was a long battle over a number of years. Senator DOMENICI worked on it hard. We made those changes, we put them in the law, and at that time we had not a single preliminary request for building a nuclear power plant in this country. Since that Energy bill passed, there are now 18 out there—18 preliminary requests—to consider building a nuclear powerplant in America. We haven't built one in 30 years in this country.

What I am saying to the American people who may be listening tonight, and to my colleagues, is that our job is not to help nuclear power companies. Our job is not to help oil companies.

Our job is to try to provide safe and environmentally good energy sources to our people at the lowest possible rate. When the price of gasoline goes up substantially, people who are paying $150 a month for their gasoline now may be paying $225 a month. They may be paying $75 more each month out of their paycheck, money that they want to spend on their children, money they need to repair their vehicle, money they need to pay their rent. People are struggling. We need to be thinking of ways to reduce the cost of energy. Nuclear power is one of those ways.

I have just had a recent meeting with the people at TVA, the Tennessee Valley Authority, created by Government agents, created by Franklin Roosevelt. They are producing nuclear power at about 1.2 cents a kilowatt hour—1.2 cents. Coal is about 1.8 cents. That is 50 percent more expensive. Nuclear power is 50 percent less expensive than coal. And natural gas that is being used quite a bit is about 6 cents—five times as much. So we need more nuclear power and we need to burn a lot less natural gas for electricity and we can burn less coal also because it is not a very clean fuel. We are doing better with coal, but it is still not nearly as clean as nuclear power.

So I say there is a whole host of things we can do to meet the legitimate pleas of our constituents to do something about the high cost of energy.

Natural gas heats a great many homes in America. It provides the energy for all kinds of industrial production. I visited a chemical plant recently. They are exceedingly concerned about the additional costs they have sustained simply as a result of the doubling of the price of natural gas. Trust me. If these wells are producing in the gulf, as will be authorized by this bill, it will significantly impact the price of natural gas in the United States. So that is the kind of approach we are trying to bring to bear on producing more at home.

Then there is one other argument that people have complained about, and that is revenue sharing. They say that States should not get any of the money out of this. We have been trying to expand the gulf drilling for quite a number of years and had no success, really. It is time to get serious about it. I believe we can make a breakthrough this year. We got, now, both Senators from Florida to say they would support this bill. They studied it very carefully, as strongly as Florida is committed to environmental purity along their coast. I respect it, but I am telling you they are very committed to it. They want us to produce our oil and

gas off our coast and put it in that pipeline that runs from Mobile, AL, to Tampa, FL. That is what we are doing right now. They built, in 2002, an oil and gas pipeline right off our coast, and shipped it over there. But they do not want oil drilling 150 miles from their coast.

We are working this out now. We are giving them a guaranteed protection of 125 miles. The Governor, Jeb Bush, is on board now and Senators are on board so maybe we are making progress. I think we have more protection than is justified. But it will allow us, probably, to have as much territory available to drill in as we could drill in for the foreseeable future. So maybe that will be acceptable under all the circumstances.

But they object to revenue sharing so States get a little part of it. One of our Senators, Mr. BINGAMAN from New Mexico, has complained about it. We should not have any revenue sharing.

We had 4,000 wells out there, all these deep gulf wells, and the States don't get a dime out of it—not a dime. But a State like New Mexico that has a lot of oil and gas and a great deal of federally owned lands in those States, what do they get? They get 50 percent of that. This will be just a little over a third; 37 percent would be shared with the coastal States and would be earmarked for coastal funds—12 percent for the Land and Water Conservation Fund nationwide, and 50 percent to the Federal Government. These are moneys, new moneys coming into the Treasury of the United States that do not exist today. Until we get this approval and this moratorium lifted, we are not going to have any money. You know, until we reach accord here and lift this moratorium and allow the drilling to occur, we are not going to have any money.

So it is not a taking from the Treasury of the United States. It is an increase to the Treasury of the United States, and we should see it in that fashion.

The gulf coast has environmental problems of quite a large degree. We had severe hurricane damages on our coast. The whole area—whole areas in Louisiana are sinking, and we will have to spend large amounts of money to deal with that. So there are a lot of things that this money could be used for that benefit, not just the people of those States but all the many hundreds and thousands—millions, really—of visitors that come to the gulf coast areas every year. We will set up estuaries, wetlands, and things that will just make the area better. We would like to do that for the Nation and not just Alabama.

I think the objections are not substantial. I believe it is time for us to complete this step. We are at record prices for oil. How do we get our oil? Sixty percent of it we obtain from foreign sources. So we pay this world price, transferring $200 billion in American wealth out of our country to those countries when we could keep it at home by producing large amounts off our gulf coast.

Just to mention those amounts, they are quite huge. It is 1.3 billion barrels of oil that are projected to be in the Gulf of Mexico. That exceeds the proven reserves of Oklahoma and Wyoming combined, two of our largest oil-producing States. There are almost 6 trillion cubic feet of natural gas, enough to heat and cool 6 million homes for 15 years, for example. These supplies are significant enough that they will impact prices. I can't say what the prices will be a few years from now when this oil and gas comes on line, but whatever it is, it will be less if this oil and gas is coming on line than if it is not.

That will redound to the benefit of the American consumers that we represent—the ones who have sent us here and asked us to do something about energy prices. All of us have told them we are going to do something about it. This is one vote about which you can have no doubt. If you vote to produce oil and gas off the coast of America, you will help reduce the price of oil and gas in America. Not only that, you will keep at home billions of dollars that might otherwise be sent to foreign nations, some of which are hostile to us. It is the right thing to do. We need to follow through on it.

I am optimistic more than I have been in quite a number of years. It is particularly thrilling to see Senator MARTINEZ of Florida, who has worked so hard on this issue, and Senator BILL NELSON from Florida, who earlier today said he would support the Senate bill.

So we are moving to make this a reality. It will be a positive step for this country. The only thing we have to fear is there will be some on the other side for what reason I can only imagine who will want to filibuster this legislation. Hopefully that won't happen. I hope not. We need to move it forward and pass it this year.

I thank the Presiding Officer and I yield the floor.

RECESS UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until Friday, 10 a.m., July 28, 2006.

Thereupon, the Senate, at 7:26 p.m., recessed until Friday, July 28, 2006, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate July 27, 2006:

DEPARTMENT OF JUSTICE

DEBORAH JEAN JOHNSON RHODES, OF ALABAMA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS, VICE DAVID PRESTON YORK, RESIGNED.

RODGER A. HEATON, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE JAN PAUL MILLER, RESIGNED.

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR COMPONENT OF THE PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be senior surgeon

JUDITH LOUISE BADER
VICTOR M. CACERES
MICHAEL A. CAROME
DAVID K. ESPEY
WALTER G. HLADY
ROLAND HOWARD LAMKIN
ANTHONY W. MOUNTS
BRENT PENNINGTON
DOUGLAS B. TROUT

To be surgeon

TECORA DENEICE BALLOM
STEPHANIE ROSE BIALEK
MARIA VICTORIA CANO
SCOTT K. FRIDKIN
DAVID M. FRUCHT
DAVID PHILIP GOLDMAN
JAMES P. HENDRICKS
JOHN K. ISKANDER
CHARLES EDWARD LEE
MICHAEL TIMOTHY MARTIN
CATHERINE ANNA MCLEAN
JONATHAN H. MERMIN
LORI MARIE NEWMAN
NANCY E. ROSENSTEIN
TARAZ SAMANDARI
BRUCE COLLIER TIERNEY
WEIGONG ZHOU

To be senior assistant surgeon

DANIEL SETH BUDNITZ
SOJU CHANG
CATHERINE CHIA-SHINE CHOW
NANCY WATSON KNIGHT
DIANNA L. MAHONEY
JAY KUMAR VARMA

To be senior dental surgeon

WILLIAM F. CATELLI II
ELMER J. GUERRERO
SUZANNE KAY SAVILLE

To be dental surgeon

ANITA FARUQI ARNOLD
MOHAMED K. AWAD
MICHAEL J. MCLAUGHLIN
AARON R. MEANS, SR.
ROSS W. SILVER
RICHARD DEAN STRICKLIN

To be senior assistant dental surgeon

SCOTT WILLIAM BROWN
STEPHANIE M. BURRELL
WILLIAM J. ESPOSITO
LAURA REGINA FUENTES
PAMELA F. HAMILTON
CRAIG S. KLUGER
ANTHONY LAWRENCE LIKES
MICHAEL JEFFREY OVERBECK
ANGIE J. ROACH
JAMES W. SULLIVAN
BRIDGET R. SWANBERG-AUSTIN
LEIRA A. VARGA-DEL TORO
MELISSA JEAN WAGES
RANDLE LEE WELLS
STELLA YUK KWAN LAU WISNER

To be senior nurse officer

JEFFRY L. BRINKLEY
SHEILA D. CARNES
MARY HARDING
ROSA F. MYERS
LAURA E. SHAY
JEANETTE P. STUBBERUD

To be nurse officer

LARRY ALONSO
LYDIA ALVAREZ
YVONNE L. ANTHONY
LINDA JO BELSITO
PAULA ANITA BRIDGES
ANNETTE ROSEMARY DEBISETTE
DAVID J. DINTELMAN
ALEX GARZA
WANDA W. GONZALEZ
TIMOTHY G. GRUBER
BLONDELL W. JOHNSON
RUTH KAWANO
KATHLEEN L. KNECHT
DOROTHEA E. LEVENHAGEN
SUZANNE V. LIPKE
DONNA M. RIBBONS
LINDA M. SCOTT
BEVERLY ANN SMITH
MICHAEL M. STEELE

To be senior assistant nurse officer

DAWN ANN-MARIE ANDERSON-GARY
VALENE NANCY BARTMESS
MARIE A. CASEY
WANDA D. CHESTNUT
SUSANNA NANSHIM CHOI
PAMELA M. COOK
SEAN TYLER CREIGHTON
EILEEN MARY FALZINI
SUZANNE S. M. FILLIPPI
REBECCA ANNE FOX
DION ERIC FRANKLUND
EDDIE L. FRAZIER
ANDREA M. GRIEP

TROY L. JOHNSON
CHARLES MICHAEL KERNS
TERRY KILPATRICK
JEFFREY D. KROUSKOP
THEL MOORE, JR.
FERREL V. NELSON
ANITA E. POLLARD
WILLIAM F. REKWARD
SHERBET LENORA SAMUELS
TANIA EVA SCHUPPIUS
HELEN S. THIRY-CHMELA
SEAN-DAVID A. WATERMAN
JENNIFER L. WILLIAMS
TRACIE L. WRIGHT

To be assistant nurse officer

GERI L. TAGLIAFERRI

To be senior engineer officer

DANA JAY BAER

To be engineer officer

MARC M. FLEETWOOD
ROBIN M. HOLDEN
SCOTT R. SNELL

To be senior assistant engineer officer

NEIL W. AUSTIN
SEAN M. BOYD
CHRISTEN P. GLIME
LEONARD E. HOTHAM
ERIC R. LINDMAN
JOHN DAVID MAZORRA
THOMAS J. MOELLER
JENNIFER E. MOSSER
MARK A. NASI
KENNETH J. RAMONDO
JONATHAN KENNEDY RASH

To be senior scientist

DEBORAH A. LEVY
REBECCA L. SHEETS

To be scientist

CHRISTINE JEAN BENALLY
HEIDI LYNN BLANCK
JOHN JOSEPH ECKERT
LAURENCE M. GRUMMER-STRAWN

To be senior assistant scientist

BORIS R. APONTE
ANGELA DINKINS COLEMAN
RHONDA LYNN KOCH
LISA NICOLE PEALER
DAVID ALAN THOMPSON
BETH CARLTON TOHILL

To be sanitarian

CHRIS B. BUCHANAN
MARSHALL S. GRAY, JR.
PATRICK J. HINTZ
GARY DAVID PERLMAN
EDWIN VAZQUEZ

To be senior assistant sanitarian

JASON EDWARD BARR
MARK A. BYRD
DAVID B. CRAMER
CELESTE L. DAVIS
THOMAS M. FAZZINI
JENNIFER A. FREED
BRIAN K. JOHNSON
TINA J. LANKFORD
DINO ANTHONY MATTORANO
ROBERT E. MCCLEERY
STEPHEN ROBERT PIONTKOWSKI
KEITH A. SCHWARTZ
JOHN W. SPRIGGS
MARK TURNER STRAUSS
CRAIG RICHARD UNGERECHT

To be senior veterinary officer

CLARA JOSTING WITT

To be veterinary officer

KIM D. TAYLOR

To be senior assistant veterinary officer

PRINCESS ROSE CAMPBELL

To be senior pharmacist

DANIEL A. DIGGINS, JR.
MURRAY F. POTTER

To be pharmacist

CHRISTINE S. CASTILLO
MICHELLE DILLAHUNT
SAMUEL LOREN FOSTER
SUSAN J. FREDERICKS
MARY ELIZABETH KREMZNER
NITIN KANTILAL PATEL
DAVID L. RANSOM
JILL G. REID
NITA SOOD
TODD MICHAEL STANKEWICZ
BRENDA LUCY STODART
MELVIN P. TEMPEL
TODD A. WARREN
CHRISTINE HEEKYUNG YU

To be senior assistant pharmacist

IRENE AHLSTROM
MITZIE ALTHEA ALLEN
ROBIN ANN BARTLETT
BRADLEY MICHAEL BISHOP
MICHAEL P. BOURG
TIMOTHY R. BOWMAN
RENU CHHABRA
SHANNON LIN CORNELL
DARYL K. DINEYAZHE-TOYA
MICHAEL A. EDDY
DARYL K. GARVIN
DEAN TREVOR GOROSKI
ROBERT W. HAYES
GARY BRENT HOBBS
MARCI CATALANO KIESTER
CHRISTOPHER CLAYTON LAMER
JOY ELLEN LEE
MICHAEL P. LEE
CHRISTINA CATHERINE MEAD
NINA CYNTHIA MEZU-NWABA
JEFFREY TAUFIC MOUAKKET
TIMOTHY MICHAEL MURRAY
BRIAN MATTHEW NAROG
AMY L. OSBORN
LAURA LEA PINCOCK
VASAVI TIRUMURA REDDY
NORA LYNN ROSELLE
KENNETH R. SAY
RYAN RUSSELL SCHUPBACH
NATHALIE RENEE SEOLDO
MAYA ANGELOU THOMPSON
QUYEN TINH TIEN
TAMI N. VAUGHAN
GERARDO ZENON VAZQUEZ
BRIAN R. WREN
CATHERINE C. YU
MARYJO ZUNIC

To be dietitian

ANN MARIE STATEN

To be senior assistant dietitian

JANIS RAE ARMENDARIZ

To be therapist

RITA BAKSHI SHAPIRO
GARY WILLIAM SHELTON

To be senior assistant therapist

MARIA LEOLA BACILIO
KAREN EMI KAJIWARA-NELSON
JON MICHAEL SCHULTZ
JODI ANNE TANZILLO

To be health services officer

MARCIA FAYE BRITT
VALERIE ANTOINETTE DARDEN
GAIL ANN DAVIS
RAFAEL ALBERTO DUENAS
SHANNON B. FARR
WANDA L. FINCH
JANELLE M. FROELICH
JANET LYNNE HAWKINS
SHARYN MARIE HEALY
JOHN DENNIS JAWORSKI
DANA CORNELIUS JONES
STEPHEN CHRISTOPHER KELLER
ARNOLD KETCHUM
ELIJAH K. MARTIN, JR.
BARBARA A. MASSEY
SHEILA PACK MERRIWEATHER
DAVID JOSEPH MORRISSETTE
DENNIS SCOTT SLATE
GAIL S. WILLIAMS
GINA BURROUGHS WOODLIEF

To be senior assistant health services officer

LORRAINE NINO ALEXANDER
MARK A. BRYANT
JENNIFER MARIE CARD
MICHELLE ANDERSON COLLEDGE
ALI BEY DANNER
DIONE MARIE HARJO
NANCY RENATA MAUTONE-SMITH
RHONDA LYNN PLAKE
JAMES R. REID II
CATHERINE T. SALISBURY
JAMIE ROBERT SELIGMAN
TORRIS CRAIG SMITH
SHERRY L. TAYLOR

To be assistant health services officer

TRACY JACINDA BRANCH
JENNIFER ANN DIPIETRA
RAQUEL ANTONIA PEAT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

CARROLL F. POLLETT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DAVID W. WILSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LISA M. WEIDE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 531 AND 624:

To be major

KERRY K KING, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

LAWRENCE N. PETZ, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

YOLANDA RUIZISALES, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203 AND 12211:

To be colonel

PAUL G. ARBOUR, 0000
RALPH E. BAILEY, 0000
THOMAS H. BLACKSTOCK, JR., 0000
MARTA CARCANA, 0000
DAVID W. CAREY, 0000
KENNENTH T. CHAMBERLAIN, 0000
RICHARD T. CURRY, 0000
GORDON L. ELLIS, 0000
RUSSEKK N. FEASTER, 0000
WENDUL G. HAGLER II, 0000
DANIEL R. HOKANSON, 0000
DAVID W. MAJOR, 0000
CLIFFORD D. MCCABE, 0000
DENNIS R. MILLER, 0000
BRIAN A. MONTAGUE, 0000
GREGORY C. PORTER, 0000
JAMES E. PORTER, JR., 0000
SCOTT H. SCHOFIELD, 0000
SCOTT R. SMITH, 0000
RONNIE M. STRONG, 0000
DAVID A. STUCKEY, 0000
JAMES E. TAYLOR, 0000
DAVID S. VISSER, 0000
WILBUR E. WOLF III, 0000
JAMES P. WONG, 0000
JAMES M. ZARLENGO, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

ROBERT J. GALLAGHER, 0000

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

GEORGE A. QUIROA, 0000

To be lieutenant commander

JASON O. HEATON, 0000
PATRICK M. MCGILL, 0000
JOYCE C. ROSS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CRISTAL B. CALER, 0000
KEVIN L. CRABBE, 0000
TRENT R. DEMOSS, 0000
MARK DOVER, 0000
ROBERT B. FARMER, 0000
DAVID FERREIRA, 0000
ALBERT R. MEDFORD, 0000
CHARLES K. NIXON, 0000
KIMBERLY J. SCHULZ, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MATTHEW I. BORBASH, 0000
MARC C. ECKARDT, 0000
MICHAEL A. KUYPERS, 0000
BRETT S. MARTIN, 0000
CATHERINE MCDOUGALL, 0000
MICHAEL J. ROTH, 0000
FRANK M. SCHENK, JR., 0000
WILLIAM L. SOMMER, 0000
TROY J. TWOREK, 0000
ROBERT W. WITZLEB, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LARRY J. CARPENTER, 0000
JEFF A. DAVID, 0000
JEFFREY D. GORDON, 0000
BRENDA K. MALONE, 0000
CARLA M. MCCARTHY, 0000
JENSIN W. SOMMER, 0000
PAULINE A. STORUM, 0000

EXTENSIONS OF REMARKS

RECOGNIZING MARY SCOTT-HALL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Mary Scott-Hallof Saint Joseph, Missouri. Mary is a leader in the Girl Scouts, representing the Midland Empire for over seven years, and she has been chosen to receive the YWCA Women of Excellence Award for Women in Volunteerism.

As a leader in the Girl Scouts, Mary has gone beyond her expected role, helping to grow the community's interest and excitement for the Girl Scouts. She has organized a variety of service projects for her troop, including donations to the YWCA Women's Abuse Shelter and America's Second Harvest Food Bank. As the Day Camp director for the St. Joseph area, she has provided exceptional programs to over 100 girls each summer. Additionally donating her time to Camp Woodland, she was responsible for preparing meals and programs for up to 150 girls and adults.

Her achievements to the Girl Scouts are highly recognized. Her troop built the Manley Tillison Outdoor Classroom, a part of the troop's Silver Medal Award project. In addition, she has been given the Girl Scouts Outstanding Volunteer Pin by her peers and received the Service to Mankind Award from the St. Joseph Downtown Sertoma Club.

Mr. Speaker, I proudly ask you to join me in recognizing Mary Scott-Hall. Her commitment to the Girl Scouts and service in the community are to be admired. I am honored to represent her in the United States Congress.

IN RECOGNITION OF THE CARLSON COMPANIES INC., AMERICAN SOCIETY OF TRAVEL AGENTS, FLAMINGO TRAVEL, AND ELA BRASIL TOURS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mrs. MALONEY. Mr. Speaker, sex tourism and more specifically the sexual commercial exploitation of children has increasingly become a serious problem. The International Labor Organization estimates that approximately 550,000–700,000 children are forced into sexual exploitation each year. I, therefore, rise to salute the Carlson Companies Inc., the American Society of Travel Agents, ASTA, Flamingo Travel in Philadelphia and Ela Brasil in New York City for signing the Code of Conduct for the Protection of Children From Sexual Commercial Exploitation in Travel and Tourism. They have taken a bold stand against the sexual exploitation of children and should be recognized for their actions

The Code of Conduct for the Protection of Children From Sexual Commercial Exploitation in Travel and Tourism was developed by End Child Prostitution Child Pornography and Trafficking of Children for Sexual Purposes, ECPAT, along with World Tourism Organization, WTO, and has been funded by the United Nations Children's Fund (UNICEF). By signing the Code of Conduct, travel and tourism companies commit to take a series of steps to ensure that they are not facilitating the trafficking of children for purposes of prostitution. Law enforcement cannot do it alone. It takes a multifaceted approach to discourage sex tourism.

The Code of Conduct requires that the tourism or travel company establish an ethical policy regarding sexual exploitation of children; train its personnel in the country of origin and travel destinations; introduce a clause in contracts with suppliers requiring that they repudiate commercial sexual exploitation of children; provide information to travelers by means of catalogues, brochures, inflight films, and ticket slips; provide information to local ''key persons'' at the destinations; and report annually to the Code International Steering Committee and the Secretariat at the WTO.

By reporting yearly, the companies share their experiences and allow for annual monitoring and evaluation of the progress and outcomes of their endeavors. A Steering Committee made up of international independent and voluntary representatives along with ECPAT supervise the Code implementation.

Internationally, more than two hundred companies have signed the Code of Conduct. The United States, however, has lagged far behind. That is why the willingness of Carlson Companies Inc., Flamingo Travel, Ela Brasil and ASTA to sign the Code is so significant. The Carlson Companies Inc. is ranked as one of the largest privately held corporations in America. Among its brands and services are Regent International Hotels, Radisson Hotels, Country Inns and Suites, Park Plaza, Carlson Wagonlit Travel, Cruise Holidays, Results Travel, Raddison Seven Seas Cruises, and Carlson Marketing Group.

Since signing the Code of Conduct, Carlson Companies Inc. has put information about sex tourism and commercial exploitation of children on its company website, has run ads and included editorial content in its hotel publications, and has included information about this issue on their ticket stock. Flamingo Travel, Ela Brasil and ASTA have taken similar steps in implementing the Code of Conduct.

These companies are trailblazers in combating the commercial sexual exploitation of children. Their bold stand could save lives. Significantly their forthright commitment on this issue puts pressure on other American companies in travel and tourism to sign the Code of Conduct as well.

Mr. Speaker, for all the foregoing reasons, I ask my the colleagues to join me in applauding the Carlson Companies Inc., ASTA, Flamingo Travel, and Ela Brasil for their commitment to implementing the Code of Conduct and fighting one of the world's cruelest and most devastating industries.

DISTURBING ECONOMIC TRENDS IN PUERTO RICO

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. TOWNS. Mr. Speaker, I rise today to call attention to the disturbing economic trends in Puerto Rico detailed in recently released reports by the General Accountability Office (GAO), and the Joint Committee on Taxation (JCT). Taken together, these finely written and well-documented studies paint a bleak picture of an island that—instead of being a model of economic development—has fallen further behind the 50 states.

Nothing could be clearer from these reports than that we have failed the U.S. citizens of Puerto Rico miserably for over 50 years. Not because of bad intentions, or because of some sort of benign neglect, but because of failed policies that have provided few, if any, of their promised benefits. These studies vividly demonstrate the need for a different approach that will more directly benefit the residents of Puerto Rico, including making them eligible for the refundable portion of the child tax credit, which I proposed in legislation introduced earlier this Congress (H.R. 4451).

These studies paint a fairly stark picture of the ways in which Federal policies have markedly neglected working Americans in Puerto Rico, by denying them basic support accorded to families in the rest of the United States who are struggling to make ends meet.

The focus of the GAO report is the economy of Puerto Rico during the phase-out of the Possessions Tax Credit (''Sec. 936''), the cornerstone of the U.S. tax policy in Puerto Rico until Congress repealed it in 1996. GAO (and an independent study by the Brookings Institution), determined that the repeal of Sec. 936 to a significant degree did not cause the companies that had previously taken advantage of the program to flee the island; instead concluding that ''a substantial amount of possession corporation activity has been continued by other types of businesses,'' primarily by the companies conversion to controlled foreign corporations, which do not have to pay taxes on their PR source income. As such, the GAO provides the most comprehensive and objective assessment that while corporate structures have changed, underlying economic activity has not markedly changed during the Sec. 936 phase-out.

The bottom line conclusion is that the tax policies that have been in place have failed to put Puerto Rico on a path toward equality with the mainland. Growth has been insufficient to reduce the gap in per capita income (one third that of the mainland), living standards (four times the number of people live below the poverty level) and unemployment (twice as high as the mainland)—nor improve the abysmally low labor force participation rate. Clearly the data supports the conclusion that the past approach has had little—if any—direct and

positive effect on the welfare of individuals living and working on the island.

The JCT study points out that tax incentives such as Sec. 936 cannot be permanent additions to the Internal Revenue Code, and that there are market distortions associated with these incentives. While not opining on a preferred approach, JCT states that other options might gain a higher rate of return. JCT surveys some of these options, putting them in the context of the various political status alternatives. Unfortunately, JCT articulates the costs, but dodges the really big question of measuring the possible economic benefits of the different status options (independence, statehood, or continued commonwealth status).

Most importantly, the JCT study points out how much misguided federal tax policies have neglected the people of Puerto Rico—and point to a direction that would clearly have a measurable, positive, impact on the very people who need it most: the working poor of Puerto Rico. This is through application of work incentives available to working families in the 50 states: the per-child tax credit (CTC) and Earned Income Credit (EIC), both of which are available to working families on the mainland to offset payroll taxes (which are also paid by residents of Puerto Rico).

By paying payroll taxes for Social Security and Medicare without receiving the earned income tax credit, working families in Puerto Rico face a heavily regressive tax burden. To illustrate, a Puerto Rican on the island who files as a head of household with two children and $20,000 of income has a total Federal tax liability of $792. Yet that filer's brother in New York with the same income and family circumstances would receive a tax refund of $3,708. According to the JCT study, simply making Puerto Ricans eligible for the EITC would provide an annual fiscal stimulus of $540 million directly to the local economy, which some estimates show would reduce tax burdens on over 90 percent of taxpayers (about 950,000 taxpayer returns).

My legislation, making families eligible for the child tax credit (now applicable only to families of 3 or more), would further reduce taxes for another 32 percent of all tax filers or about 560,000 taxpayers (and add another $180 million, annually, to the local economy). Independent analysis shows that these targeted tax credits would be up to 40 percent more effective in stimulating the economy than failed subsidies we have tried, which amount to billions of dollars every year (and continue to this day).

In closing, let me say, I applaud GAO and JCT for drawing our attention to the problem of Puerto Rico's economy. The ball is now in our court. It is the responsibility of this Congress to implement new policies. I am not sure what all these policies should be, but do know that what we have tried did not work, and that we should consider a range of options—including my own legislation—with an eye toward what would best serve the nearly four million U.S. citizens in Puerto Rico, who need and deserve our help. I urge my colleagues to move forward expeditiously in this effort.

BELARUS DEMOCRACY REAUTHORIZATION ACT OF 2006

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing the Belarus Democracy Reauthorization Act of 2006, a bipartisan measure to provide support for the promotion of democracy, human rights and the rule of law in the Republic of Belarus, as well as encourage the consolidation and strengthening of Belarus' sovereignty and independence. I am pleased to be joined by my colleagues, Representives LANTOS and MCCOTTER, as original cosponsors.

Three years ago, I introduced the Belarus Democracy Act which passed the House and Senate with overwhelming support and was signed into law by President Bush in October 2004. At that time, the situation in Belarus with respect to democracy and human rights was already abysmal. Belarus continues to have the worst rights record of any European state, rightly earning the country the designation as Europe's last dictatorship. Bordering on the EU and NATO, Belarus is truly an anomaly in a democratic, free Europe.

The need for a sustained U.S. commitment to foster democracy and respect for human rights and to sanction the regime of Belarus' tyrant, Alexander Lukashenka, is clear from the intensified anti-democratic policies pursued by the current leadership in Minsk. Mr. Speaker, I am pleased to note that the United States is not alone in this noble cause. Countries throughout Europe have joined in a truly trans-Atlantic effort to bring hope of freedom to the beleaguered people of Belarus. Prompt passage of the Belarus Democracy Reauthorization Act of 2006 will help maintain the momentum sparked by adoption of the 2004 law and the further deterioration of the situation on the ground in Belarus. Indeed, with the further deterioration in Belarus with the massive arrests of recent weeks, this bill is needed now more than ever.

One of the primary purposes of the Belarus Democracy Reauthorization Act of 2006 is to demonstrate sustained U.S. support for Belarus' independence and for those struggling to promote democracy and respect for human rights in Belarus despite the formidable pressures and personal risks they face from the anti-democratic regime. The bill authorizes $20 million in assistance for each of fiscal years 2007 and 2008 for democracy-building activities such as support for non-governmental organizations, including youth groups, independent trade unions and entrepreneurs, human rights defenders, independent media, democratic political parties, and international exchanges.

The bill also authorizes $7.5 million for each fiscal year for surrogate radio and television broadcasting to the people of Belarus. While I am encouraged by the recent U.S. and EU initiatives with respect to radio broadcasting, much more needs to be done to break through Lukashenka's stifling information blockade.

In addition, this legislation would impose sanctions against the Lukashenka regime, and deny senior officials of the regime—as well as those engaged in human rights and electoral abuses, including lower-level officials—entry into the United States. In this context, I welcome the targeted punitive sanctions by both the Administration and the EU against officials, including judges and prosecutors, involved in electoral fraud and other human rights abuses.

Strategic exports to the Government of Belarus would be prohibited, except for those intended for democracy building or humanitarian purposes, as well as U.S. Government financing and other foreign assistance, except for humanitarian goods and agricultural or medical products. The U.S. Executive Directors of the international financial institutions would be encouraged to vote against financial assistance to the Government of Belarus except for loans and assistance that serve humanitarian needs. Furthermore, the bill would block Belarus Government and senior leadership and their surrogates' assets in property and interests in property in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons. To this end, I welcome the Treasury Department's April 10 advisory to U.S. financial institutions to guard against potential money laundering by Lukashenka and his cronies and strongly applaud President Bush's June 19 ''Executive Order Blocking Property of Certain Persons Undermining Democratic Processes or Institutions in Belarus.''

Mr. Speaker, I want to make it absolutely clear that these sanctions are aimed not at the people of Belarus, whose desire to be free we unequivocally support, but at a regime that displays contempt for the dignity and rights of its citizens even as the corrupt leadership moves to further enrich itself at the expense of the people.

Mr. Speaker, Belarus stands out as an even greater anomaly following Ukraine's historic Orange Revolution and that country's March 26th free and fair parliamentary elections which stand in glaring contrast to Belarus' presidential elections held just one week earlier. The Belarusian elections can only be described as a farce. The Lukashenka regime's wholesale arrests of more than one thousand opposition activists, before and after the elections, and violent suppression of post-election protests underscore the utter contempt of the Belarusian authorities toward the people of Belarus.

Illegitimate parliamentary elections in 2004 and the recently held presidential ''elections'' in Belarus brazenly flaunted democratic standards. As a result of these elections, Belarus has the distinction of lacking legitimate presidential and parliamentary leadership, which contributes to that country's self-imposed isolation.

Lukashenka, the Bully of Belarus, has repeatedly unleashed his security thugs to trample on the rights of their fellow citizens. Indeed, they demonstrated what Lukashenka truly thinks about his own people. Nevertheless, courageous peaceful protesters on Minsk's central October Square stood up to the regime with dignity and determination. Almost daily repressions constitute a profound abuse of power by a regime that has blatantly manipulated the system to remain in power.

Albeit safely ensconced in power, Lukashenka has not let up on the democratic opposition. On July 17, in a particularly punitive display against those who dare oppose Lukashenka, former presidential candidate Aleksandr Kozulin was sentenced to an obviously politically motivated 5½ years' term of

imprisonment for alleged ''hooliganism'' and disturbing the peace. Democratic opposition leaders such as Anatoly Lebedka and Vincuk Viachorka have been arbitrarily detained and sentenced to jail terms which have been as much as 15 days. Last month, opposition activists Artur Finkevich received a two-year corrective labor sentence and Mikalay Rozumau was sentenced to three years of corrective labor for allegedly libeling Lukashenka. Other opposition activists, including Syarhey Lyashkevich and Ivan Kruk have received jail sentences of up to six months.

In a patent attempt to discourage domestic observation of the fraudulent March 19 presidential elections, authorities arrested activists of the nonpartisan domestic election monitoring initiative ''Partnerstva''—Tsimafei Dranchuk, Enira Branitskaya, Mikalay Astreyka and Alyaksandr Shalayka. They have been in pre-trial detention since February 21, charged with participation in an unregistered organization.

Lukashenka's pattern of anti-democratic behavior began a decade ago, and this pattern has only intensified. Through an unconstitutional 1996 referendum, he usurped power, while suppressing the duly-elected legislature and the judiciary. His regime has repeatedly violated basic freedoms of speech, expression, assembly, association and religion. In its May 3 annual report, the U.S. Commission on International Religious Freedom included Belarus on its watch list, as Belarus appears to be adopting tougher sanctions against those who take part in unregistered religious activity. The democratic opposition, non-governmental organizations and independent media have been subject to intimidation and a variety of punitive measures, including closure. Political activists and journalists have been beaten, detained and imprisoned. Independent voices are unwelcome in Lukashenka's Belarus and anyone who, through their promotion of democracy, would stand in the way of the Belarusian dictator puts their personal and professional security on the line. Their courage deserves our admiration, and, more importantly, our support.

Moreover, we have seen no progress on the investigation of the disappearances of political opponents—perhaps not surprisingly, as credible evidence points at the involvement of the Lukashenka regime in their murders. I welcome President Bush's decision to personally meet with two of the widows in the Oval Office to discuss the situation on Belarus. An Administration report mandated by the Belarus Democracy Act and finally issued on March 17 of this year reveals Lukashenka's links with rogue regimes such as Iran, Sudan and Syria, and his cronies' corruption. Despite efforts by the U.S. Government, working closely with the European Union, the Organization for Security and Cooperation in Europe (OSCE) and other European organizations, and non-governmental organizations, the regime of Lukashenka continues its grip on power with impunity and to the detriment of the Belarusian people.

Colleagues, it is my hope that the Belarus Democracy Reauthorization Act of 2006 and efforts by allies in Europe will help put an end to the pattern of clear, gross and uncorrected violations of OSCE commitments by the Lukashenka regime and will serve as a catalyst to facilitate independent Belarus' integration into democratic Europe in which democratic principles and human rights are respected and the rule of law is paramount. The Belarusian people deserve better than to live under an autocratic regime reminiscent of the Soviet Union, and they deserve our support in their struggle for democracy and freedom.

TRIBUTE TO MR. CHARLES ''BUSTER'' BOWEN

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise today to honor the memory and courageous patriotism of Mr. Charles ''Buster'' Bowen. As a navigator on a B–25 Bomber, Mr. Bowen proudly served his country in the Army Air Corps during the Second World War. The sacrifices he made to ensure the liberty and freedom of future generations will never be forgotten.

In the late autumn of 1941, Buster Bowen was a senior studying accounting at the University of Texas. He was undoubtedly eager for graduation and full of enthusiasm for the future. However, like many young men and women of his generation, Mr. Bowen's world was unalterably changed following the attack on Pearl Harbor.

After graduating from the University of Texas in June 1942, Mr. Bowen volunteered for military service. His military career began in the spring of 1943 at Kelley Field near San Antonio, Texas. After completing his training, Mr. Bowen was assigned to the 345th Bombardment Group and sent to the Pacific. In a letter to his concerned mother, Mr. Bowen assured her he was assigned an office job—he didn't mention that his office was a small table under the turret of a B–25 Bomber.

The crews of the 345th frequently flew low-level bombing runs over enemy targets. On one such mission over Formosa on June 15, 1945, a 40 millimeter explosive shell struck the escape hatch of Mr. Bowen's B–25 Bomber. The shrapnel from the shell pierced the fuselage and badly injured Engineer Harold Warnick and Mr. Bowen. Mr. Warnick sustained injuries to his foot and Mr. Bowen to his back. Even after being injured, Mr. Bowen plotted a course to an auxiliary air base in northern Luzon so that Mr. Warnick could receive the medical attention he needed.

For the injuries sustained by Mr. Bowen in June of 1945, he was awarded the Purple Heart. His squadron commander even displayed Mr. Bowen's bloodied shirt in the squad room to emphasize the importance of flight crews wearing the uncomfortable flak jackets.

Following his injuries, Mr. Bowen was taken off flying status, but began flying once again before the end of the war. After hostilities in the Pacific ended, Mr. Bowen was stationed on the northern Japanese island of Hokkaido as part of the American occupation force.

Mr. Speaker, like so many other young members of this Greatest Generation, Mr. Bowen set aside his ambitions and risked his life to ensure the continued freedom of our great nation. I urge my colleagues to join me in recognizing the patriotic service of Mr. Charles ''Buster'' Bowen.

INTRODUCTORY STATEMENT FAMILY FARM ENERGY RELIEF ACT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. UDALL of New Mexico. Mr. Speaker, rising costs tied to current energy prices are adversely impacting family farmers rendering some farms unsustainable. In fact, I have heard from some constituents in my home state of New Mexico who cannot afford to plant crops this year due to energy prices. We are in danger of losing family farms.

That is why I rise today to introduce the Family Farm Energy Relief Act. This legislation proposes to repeal tax incentives to oil and gas companies from the Energy Policy Act of 2005 to instead provide energy rebates to family farmers.

The Energy Policy Act of 2005 provided approximately $2.633 billion in tax breaks for oil and gas companies over the next 11 years. During times of high gas prices and record profits for oil and gas companies these tax breaks are wholly unnecessary. In fact, the current administration has agreed that they are unnecessary. President Bush recently stated Congress has got to understand that these energy companies don't need unnecessary tax breaks . . . I'm looking forward to Congress to take about $2 billion of these tax breaks out of the budget over a 10-year period of time. Cash flows are up. Taxpayers don't need to be paying for certain of these expenses on behalf of the energy companies.

The Family Farm Energy Relief Act legislation redirects the monies from the Energy Policy Act to family farmers to help pay the cost of farm diesel over the next three years. Approximately 3.4 billion gallons of farm diesel were sold in the United States in 2004, 35 million gallons to New Mexican farmers and ranchers.

The rebate program gives a tax credit to qualified family farmers equaling 10 percent of yearly farm diesel expenses. Additionally, qualified family farmers who produce biodiesel for sale or personal use would receive an additional 10 cents per gallon credit.

The program will redistribute approximately $870 million per year in tax credits for farm diesel expenditures and approximately $8 million per year in tax credits for biodiesel production over three years. Expenditures from this program will not exceed the $2.633 billion oil and gas tax incentives from the Energy Policy Act.

Mr. Speaker, family farmers and the Agriculture sector have been a staple of the American economy since before we were a nation. Many family farmers already face great obstacles to success and may have already succumbed to large agriculture conglomerates. The Family Farm Energy Relief Act is not meant to be a substitute for the long-term energy solutions we all seek for our Nation. As much as each of us understands the necessity of a comprehensive and balanced approach to energy development, so too should we realize that in every state there are hard-working family farmers whose monthly budgets are being stretched to the breaking point by energy costs. While we must approach this country's energy demand with the willingness to make the tough, long-range choices demanded of

us, it is equally important that we heed the suffering being caused by the current high prices. Let us help ease the increasing burden of fuel costs and help ensure that these farmers remain one of the backbones of our country and our country's economy.

STATEMENT OF INTRODUCTION HeLP AMERICA ACT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. UDALL of New Mexico. Mr. Speaker, health care promotion programs have the potential to improve health, improve quality of life, reduce health care costs, and boost productivity. Unfortunately, a very small percentage of health care spending is devoted to health promotion. The national investment in prevention is currently estimated to be less than 5 percent of annual health care costs. Our Nation needs a new approach to healthcare—one that puts prevention front and center.

That is why I rise today to introduce the Healthier Lifestyles and Prevention America Act, also known as the HeLP America Act. My legislation is very similar to S. 1074, a bill of the same name, which was introduced by Senator HARKIN. Both Senator HARKIN's bill and my bill are designed to reduce health care costs and improve health outcomes by reorienting our nation's health care system towards prevention, wellness, and self care.

The HeLP America Act is a comprehensive approach to prevention and health promotion. It provides tools .and incentives for schools to improve their nutrition programs. It provides tax incentives for employers to implement wellness programs. It provides grants for communities to implement activities to prevent and reduce the incidence of obesity, and chronic diseases associated with this condition. My bill also gives the FDA the authority to regulate tobacco products, and requires nutrition labeling on menus in chain restaurants. These are just a few of the provisions included in the legislation designed to attack the problem of skyrocketing health care costs associated with the increasing rates of obesity, diabetes, and other chronic illnesses.

Adaptable lifestyle factors such as smoking, sedentary lifestyle, poor nutrition, unmanaged stress, and obesity account for approximately half of premature deaths in the United States. Spending on chronic diseases related to lifestyle and other preventable diseases account for an estimated 75 percent of total health care spending. And Mr. Speaker, as you and all of our colleagues know, our nation's total amount of health care spending is no small sum. In fact, according to the Centers for Medicare and Medicaid Services, total health care spending in 2004 was $1.8 trillion. Furthermore Mr. Speaker, CMS estimates that this number will double by 2014. For those keeping score at home, that means in 2014 total health care expenditures will be $3.6 trillion.

With a greater focus on prevention, we will be able to greatly reduce the number of individuals who suffer from all types of ailments, including diabetes, cancer, heart disease, and strokes just to name a few areas where preventive health care can make the difference. It will improve health outcomes, improve people's lives, and help cut down on our exploding healthcare expenditures. As is noted in the findings of this legislation, per capita health spending in the United States is 56 percent greater than the median for countries in the Organization for Economic Cooperation and Development. Mr. Speaker, this is unacceptable. We need to get more bang for our healthcare buck and we need to look no further than focusing on prevention. As the saying goes, an ounce of prevention is worth a pound of cure.

Mr. Speaker, I urge my colleagues to join me in seeking a new and more effective approach to the health of our nation by cosponsoring the HeLP Act.

RECOGNIZING THE STENNIS CONGRESSIONAL INTERN PROGRAM

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. GORDON. Mr. Speaker, I rise today to recognize the participants in the Stennis Congressional Intern Program. For many years, the John C. Stennis Center for Public Service has enhanced the experience of a select group of summer interns working in congressional offices. The interns are provided with an insiders view of Congress through meetings with senior staff members and other experts to discuss the relationships Congress has with the legislative and executive branches, the media, the public and the private sector.

The program is a joint effort of the Stennis Center and a group of current and former senior staff members who serve as Senior Stennis Fellows. These insiders draw on their experience and expertise in creating the program and participating in sessions with the interns.

The outstanding interns selected to participate are chosen based on their college record, community service background and interest in a career in public service. This year, 30 interns, most of them juniors and seniors in college, have been working in personal and committee offices in the House and Senate.

I congratulate these students for being chosen to participate in this exceptional program, and I thank the Stennis Center and the senior fellows for providing such a unique experience for these interns and for encouraging them to consider a future career in public service.

This year's participants are David Benson-Staebler of St. Olaf College, interning in the office of Representative JIM OBERSTAR; Zeke Berzoff-Cohen of Goucher College, interning in the office of Representative JOHN OLIVER; Elizabeth Brady of the University of North Colorado, interning in the office of Senator MIKE ENZI; Tenisha Callender of Loyola University, interning in the office of Representative JAMES MCGOVERN; Paul Cenoz of the University of Southern California, interning in the office of Representative JOHN CAMPBELL; Jessica Cohen of Syracuse University, interning in the office of Senator HILLARY RODHAM CLINTON; Rachel Dillard of Clemson University, interning in the office of Senator JIM DEMINT; Stephanie Dreyer of Boston University, interning in the office of Senator CHARLES SCHUMER; Brittany Erickson of the University of Pennsylvania, interning in the office of Senator KENT CONRAD; David Evans of Wake Forest University, interning in the office of Senator MEL MARTINEZ; Jason Feld of the University of Pennsylvania, interning in the office of Representative LYNN WOOLSEY; Whitney Fogg of Yale University, interning in the office of Representative CONNIE MACK; Clark Fonda of the University of Southern California, interning in the office of Representative JOHN CAMPBELL; Sarah Hackett of Dickinson College, interning in the office of Senator PATRICK LEAHY; JC Hendrickson of American University, interning in the office of Representative MAURICE HINCHEY; Andrew Hill of Vanderbilt University, interning in the office of Representative CHARLIE NORWOOD; Abby Kirkbride of John Brown University, interning in the office of Senator MIKE ENZI; Anne Kouri of Creighton University, interning in the office of Representative RAY LAHOOD; Mark Ladley of The Citadel, interning in the office of Representative ALLYSON SCHWARTZ; Cassandra Long of the University of Central Florida, interning in the office of Senator BILL NELSON; Jonathan Lowrey of Northwest Missouri State, interning in the office of Representative SAM GRAVES; Meghan McCarthy of the College of William and Mary, interning in the office of Representative RUSH HOLT; Chris Nielsen of the University of South Dakota, interning in the office of Senator TIM JOHNSON; Edward Parkinson of the University of Witwatersrand, interning in the House Committee on Homeland Security; Sara Rafferty of the University of Oklahoma, interning in the office of Representative PHIL ENGLISH; Joshua Root of Cornell University, interning in the office of Representative JOHN OLVER; Eric Sandberg-Zakian of Yale University, interning in the office of Representative RUSH HOLT; Matt Seager of the College of Charleston, interning in the office of Senator PATRICK LEAHY; Eli Sevcik-Timberg of Wesleyan University, interning in the office of Representative MEL WATT; and Elizabeth Tran of Boston University, interning in the office of Representative NEIL ABERCROMBIE.

IN HONOR OF ROY D. HOKE—32 YEARS OF SERVICE AND COMMITMENT

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a man who has spent the last 32 years of his life serving this body in the Paint Shop. Roy D. Hoke has become a friend of mine and a friend of my office staff. Through his years he has worked to make each and every one of our offices more beautiful—not for us, but for our constituents and honored guests. Rarely have I seen a man more dedicated to his work, and more filled with pride at a job well-done.

He has served in the House under six U.S. Presidents, and 16 sessions of Congress. Prior to his service in the House, Mr. Hoke served America in the U.S. Army in Vietnam.

This year, Roy Hoke has become very close to my staff. My office took part in the Housewide program to refurbish our offices, and Roy played a major role in painting my office. He was always there to make it look perfect. Roy was never satisfied with his job—he

kept coming back to make it look better. After 32 years, he was not done making the House of Representatives a more wonderful place to work.

On Friday, May 26, 2006 Roy was doing his work as he always does. He was in my office touching-up when the security alarms went off and the Capitol Police ordered the building locked-down. Roy spent the next six hours in my office with my staff, sharing in conversation, and Coca-Cola and peanuts from my home state of Georgia. Although I was not in the building, my staff tells me that Roy was a joy to be around that day. No one enjoyed the unfortunate situation that developed that day, but Roy was an individual who made the hours pass by more smoothly. He was unflinching in his manner and helped to keep a startled office calm—even as the frightening circumstances hit close to home.

Since that day in May, my office has truly had a new friend. He has become a regular visitor and his constant smile will be missed. Roy's hard work and dedication are rare traits. We thank him for his years of service to our Nation, to this House, and we wish him luck and God speed in the next phase of his life.

RECOGNIZING THE 15TH ANNIVERSARY OF UKRAINE'S INDEPENDENCE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. WILSON of South Carolina. Mr. Speaker, on August 24, Ukraine will celebrate the 15th anniversary of its independence. As we continue to strengthen relations with allies around the world, the importance of a democratic Ukraine cannot be overstated.

Since the fall of the Soviet Union, Ukraine has made steady progress toward the creation of democratic institutions and a free-market economy. While past political instability proved challenging to the Ukrainian economy, reforms implemented under the leadership of President Viktor Yushchenko have brought greater success and prosperity to the people of Ukraine. I was honored to attend President Yushchenko's historic speech before a Joint Session of Congress last April.

Moreover, Ukraine has cultivated a civil society, showing greater respect for human rights, maintaining peaceful relationships with its neighbors, and investing in its citizens' prosperity.

I am very grateful that my home church, the First Presbyterian Church of Columbia, South Carolina, has entered into a strong and vibrant partnership with Maximovicha Baptist Church in Vinnitsa, Ukraine. Both churches are promoting exchanges of citizens who, sharing their experiences are promoting democracy. The inspiring heritage and culture of Ukraine is being appreciated by the people of South Carolina. The United States is proud to call Ukraine a friend. We will continue to seek Ukraine's support in world affairs and remain committed to helping the people of Ukraine compete in the global economy for the increased prosperity of its citizens.

RECOGNIZING HEARTLAND HEALTH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Heartland Health of Saint Joseph, Missouri. Heartland Health has been recognized as a strong advocate for women in the workplace and has been chosen to receive the YWCA Employer of Excellence Award.

Heartland Health has been recognized by the YWCA as one of the best places to work in the St. Joseph area. Heartland maintains a flexible work environment that bases advancement on employee performance. As a result, many women have been able to obtain positions in the senior leadership of the organization. Heartland Health is very supportive of families and has developed programs to help working mothers and assist in continuing education. These are benefits that have produced a very committed and productive workforce.

Mr. Speaker, I proudly ask you to join me in recognizing Heartland Health. Heartland has developed into a business that manages to serve employees as well as the community. I am honored to represent Heartland and its employees in the United States Congress.

IN COMMEMORATION OF THE NATIONAL ORGANIZATION FOR WOMEN ON ITS 40TH ANNIVERSARY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mrs. MALONEY. Mr. Speaker, I rise today to celebrate the 40th anniversary of the founding of the National Organization for Women (NOW), our Nation's paramount champion of women's rights.

The National Organization for Women has been a pioneer in the fight for women's equality and is one of our Nation's foremost institutions for social justice and social change. For the past 40 years, NOW has been at the forefront of every major effort to advance women's rights and promote equality between the sexes.

The National Organization for Women was founded in 1966 with the $5 contributions of 28 women. These women came together in recognition of the need to bring women into equal partnership with men as part of a worldwide human rights movement. In the last 40 years, NOW has expanded this vision to local and campus chapters in all 50 states and the District of Columbia and grown its membership to roughly 500,000.

As the largest feminist organization in the United States, NOW's continued success is due to its leaders' commitment to innovative and diverse avenues of activism. From local rallies and mass marches to political lobbying and Supreme Court battles, NOW works to achieve advancement for women. Its current primary concerns are promoting passage of the Equal Rights Amendment, eradication of violence against women, championing reproductive freedom and other women's health issues, opposition to racism and bigotry against lesbians and gays and advocating for economic and educational equality.

Since 1967, NOW has dedicated itself to passage of the Equal Rights Amendment. The organization tirelessly led efforts to lobby Congress for the amendment's passage until both Houses ratified the ERA in 1971. NOW then led the campaign for ratification in the states and fought for the extension of the amendment's deadline.

Since 1969, NOW has brought lawsuits to our Nation's courts to fight sex discrimination in the workplace. In one of the first cases to apply Title VII of the Civil Rights Act to a sex discrimination case, NOW won women access to positions previously denied to them because of biased and unnecessary strength tests.

Recognizing that economic security means little to women who are not secure in their homes, NOW pioneered the founding of battered women's shelters and rape crisis centers. By organizing the first Take Back the Night rallies, NOW activists provided women with a platform to confront threats of violence and empowered them to speak out against their offenders. In 1994, NOW's efforts to end women's victimization culminated in the passage of the Violence Against Women Act.

Since its founding, NOW has led the battle for women's reproductive freedom. NOW was the first national organization to call for the legalization of abortion and has committed itself to safeguarding the right to choose secured by Roe v. Wade. For 20 years NOW fought to use federal anti-racketeering laws to protect abortion clinics and their clients from harassment by militant anti-abortionists. In 2004, NOW cosponsored the March for Women's Lives to demonstrate Americans unequivocal support for women's reproductive rights. The march drew 1.15 million people to Washington, D.C. for the largest civil rights demonstration in U.S. history.

NOW was an early and vocal supporter of lesbian rights. NOW activists supported the rights of lesbians and their families in Belmont v. Belmont, the landmark case that awarded a lesbian mother custody of her children. Rosemary Dempsey, the defendant, later served as NOW's Vice President of Action. ill 1975, lesbian rights became one of NOW's priority issues and has since been the theme of two of its national conferences.

Opposed to bigotry and discrimination of all kinds, NOW has also been a champion and defender of affirmative action policies. In 1996, 50,000 activists gathered in San Francisco in defense of affirmative action for NOW's March to Fight the Right. NOW has also adopted a hiring policy that reflects its dedication to diversity and commitment to eradicating racial disparities in the work place.

Today, NOW's President, Kim Gandy, follows in the footsteps of the organization's inaugural president, the late Betty Friedan. Under Ms. Gandy's leadership, NOW remains committed to the passage of the Equal Rights Amendment and has risen to the unique challenges of our time. Advocating for pay equity, affordable quality daycare, women-friendly workplaces, and a fair minimum wage, NOW, with unfaltering determination, continues to lead our country on the march towards women's equality.

Mr. Speaker, as the National Organization for Women celebrates 40 years as our country's preeminent voice for the advancement of

women, I ask that my distinguished colleagues join me in recognizing the essential role that NOW has played in leading efforts to create positive social and political change.

DR. AULAKH, PRESIDENT OF COUNCIL OF KHALISTAN, MAKES PRESENTATION AT LONDON INSTITUTE OF SOUTH ASIA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. TOWNS. Mr. Speaker, recently the London Institute of South Asia held an event to honor author Professor Gurtej Singh, who has a significant book on the repression in India. In connection with that, they held a seminar on the topic of a separate electorate in India for minorities. Dr. Gunnit Singh Aulakh, President of the Council of Khalistan, spoke at the Institute in connection with the seminar. He spoke about the struggle to liberate Khalistan, the Sikh homeland. As you know, Mr. Speaker, Khalistan declared its independence on October 7, 1987. Yet Indian repression of the Sikh Nation continues to this day.

Dr. Aulakh spoke out against a separate electorate within India for the Sikhs, arguing that only full independence will allow the Sikhs to live in peace, prosperity, dignity, and freedom. He said that independence for Khalistan is inevitable, noting the recent marches, seminars, and other events showing the rising tide of support for freedom for Khalistan. And the politicians in Punjab have noticed and are beginning to speak out for Khalistan. That is a good sign. Even the Congress Party government of Punjab explicitly asserted the sovereignty of Punjab when it cancelled the agreements allowing the transfer of Punjabi water to non-riparian states last year.

He reported on the repression of the Sikhs that continues to show up in the form of the Indian Government destroying Sikh farms with bulldozers, farms that Sikh farmers had worked their lives for, only to see a lifetime of work destroyed by the Indian regime. This repression takes the form of arresting people for raising the flag of Khalistan, even though the Indian courts have ruled that wearing the saffron of Khalistan or raising a flag is not a crime. But the Indian Government apparently believes that it is not bound by the law, a position held not by democratic, but totalitarian governments. As my friend from California has said, for minorities, ''India may as well be Nazi Germany.''

Mr. Speaker, we cannot sit idly by and let this repression continue. I know that there are many pressing problems on the world stage that require our attention, such as the situation in Lebanon and the continuing fight against terrorism in Iraq and Afghanistan. But we must not let the necessity of attention and action in these important situations allow us to let Indian repression slip under the radar. It is our duty to the principles on which this country was founded to support freedom everywhere in the world, not just in the hot spots. It is time to take action, Mr. Speaker. America should cut off aid and trade with India until all people there are allowed to live in freedom. And we should support real democracy, the kind India claims to believe in, in the form of a free and fair plebiscite in Punjab, Khalistan, in Nagalim, in Kashmir, and wherever people seek their freedom in South Asia.

Mr. Speaker, I would like to place the Council of Khalistan's press release on Dr. Aulakh's visit to the London Institute of South Asia into the RECORD at this time.

DR. AULAKH SPEAKS TO LONDON INSTITUTE OF SOUTH ASIA—BOOK AWARD TO PROFESSOR GURTEJ SINGH

WASHINGTON, D.C., JULY 12, 2006.—Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, spoke last month at the London Institute of South Asia (LISA.) He went there for a ceremony honoring Professor Gurtej Singh IAS for his book, Tandev of the Centaur, which won the LISA Book Award. The seminar addressed the topic of a separate electorate for Indian. minorities. Dr. Aulakh spoke on the topic of the liberation of Khalistan. He said that the idea of CI separate election could be good for some minorities but was something that would hold back the struggle for freedom of minority nations that are dominant in their areas. He gave four radio interviews on Punjabi stations that are listened to worldwide.

Professor Gurtej Singh said, ''As part of my narration [for the book], I found myself suggesting a theory indicating the spurious nature of India's struggle for freedom. I am aware that it renders the main activities of the Congress Party and its leaders to an exercise in collaboration. But I am in good company in coming to that conclusion. Michael Edwards, in his The Myth of the Mahatma. has clearly shown that the British really feared the 'Western style revolutionaries' whom Gandhi effectively neutralized. The Administration considered Gandhi as an ally of the British as a neutralizer of rebellion.''

''This book does not clarify everything, but it clarifies a lot,'' said Brigadier Usman Khalid, Director of LISA. ''It lays the foundation for friendship between two irrepressible nations of the subcontinent—the Muslims and the Sikhs. The national cohesion that exists within the Muslims and the Sikhs cannot be replicated in the caste based Brahminic society,'' Brigadier Khalid said, ''Indian secularism is 'fraudulent; Indian nationalism is a pious hope without foundation or purpose. The book nails those lies. It is a great starting point for the 'freedom for all in South Asia.' ''

''Despite the Indian Government's massive efforts over two decades to crush the Khalistani freedom movement and the other freedom movements, there remains strong support for Khalistan in Punjab and the surrounding Sikh areas,'' Dr. Aulakh said. He noted the anniversary of the attack on the Golden Temple and the atrocities that were committed in Operation Bluestar. He took note of the arrests of Sikh leaders in Punjab for making speeches and hoisting the flag. He noted that Khalistan slogans were raised inside the Golden Temple recently. He noted the seminars organized by Atinder Pal Singh and took note of the atrocities committed by the Indian government. such as the kidnapping and murder of Jaswant Singh Khalra, the murder of Akal Takht Jathedar Gurdev Singh Kaunke, tearing apart the driver of Saba Charan Singh, and the mass cremation of Sikhs. He cited the Chithisinghpora massacre, the bombing of an Indian Airlines flight in 1985, and other atrocities committed by the Indian government.

A report issued by the Movement Against State Repression (MASR) shows that India admitted that it held 52,268 political prisoners under the repressive ''Terrorist and Disruptive Activities Act'' (TADA) even though it expired in 1995. Many have been in illegal custody since 1984. There as been no list published of those who were acquitted under TADA and those who are still rotting in Indian jails. Additionally, according to Amnesty International, there are tens of thousands of other minorities being held as political prisoners. The MASR report quotes the Punjab Civil Magistracy as writing ''if we add up the figures of the last few years the number of innocent persons killed would run into lakhs [hundreds of thousands.]'' The Indian government has murdered over 250,000 Sikhs since 1984, more than 300,000 Christians in Nagaland, over 90,000 Muslims in Kashmir. tens of thousands of Christians and Muslims throughout the country, and tens of thousands of Tamils, Assamese, Manipuris, and others. The Indian Supreme Court called the Indian government's murders of Sikhs ''worse than a genocide,''

Government-allied Hindu militants have burned down Christian churches and prayer halls, murdered priests, and raped nuns. The Vishwa Hindu Parishad (VHP) described the rapists as ''patriotic youth'' and called the nuns ''antinational elements.'' Hindu radicals, members of the Bajrang Dal, burned missionary Graham Stewart Staines and his two sons, ages 10 and 8, to death while they surrounded the victims and chanted 'Victory to Hannuman,'' the Hindu monkey-faced God. The Bajrang Dal is the youth arm of the RSS. The VHP is a militant Hindu Nationalist organization that is under the umbrella of the RSS.

''The genocidal policies of the Indian government are aimed at eliminating all these groups,'' Dr. Aulakh said. ''Self-determination must be the standard,'' he said. ''Short of that, it is hard to see how the freedom of all people in South Asia will be protected.''

We thank the London Institute of South Asia for including Dr. Aulakh in its presentations. We would like to thank General Khalid, Dr. Awatar Singh Sekhon, V.T. Rajshekar, and all the trustees of the Institute for inviting Dr. Aulakh to make this presentation.

PRESIDENT NIYAZOV INTENSIFIES REPRESSION IN TURKMENISTAN

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. SMITH of New Jersey. Mr. Speaker, as Co-Chairman of the U.S. Helsinki Commission, I want to bring to the attention of the Congress a number of alarming arrests recently made by the Government of Turkmenistan. Last month between June 16–18, three human rights defenders were detained by Turkmen security forces and have been held for over a month. Considering Turkmenistan's abysmal human rights record, I greatly fear for their safety as they are certainly at risk of torture.

Amankurban Amanklychev, Ogulsapar Muradova, and Sapardurdy Khajiev are affiliated with the Turkmenistan Helsinki Foundation, a non-governmental organization that monitors human rights in Turkmenistan. In addition, Ms. Muradova has served as a journalist for Radio Liberty, a private communications service funded by the Congress through the Broadcasting Board of Governors.

Apparently Turkmen authorities arrested these three individuals because of their connection to a documentary about President Saparmurat Niyazov's cult of personality and

their use of hidden video equipment in making this film. The three now face the trumped-up charges of illegal weapons possession and allegations of ''espionage.'' Given the absence of any media or speech freedoms in Turkmenistan, the government's allegations are simply not credible, and the detentions are unjustifiable.

Human rights organizations report that the detainees are being abused. Most troubling are allegations of psychotropic drugs being administered to Amanklychev and Muradova in an effort to force their confession to ''subversive activities.'' The reports concerning psychotropic drugs are quite believable, as Turkmenistan is known to use these drugs in psychiatric hospitals to punish individuals.

In April, 54 members of the United States Senate and House of Representatives wrote to President Niyazov, urging the unconditional release of a prisoner of conscience held in a psychiatric hospital. While that individual was released, soon thereafter Congress learned of an almost identical case—69-year-old Kakabay Tedzhenov. He has been held in incommunicado detention in a psychiatric hospital since January 2006 for peacefully protesting government policies. Considering that just three months ago a significant number of Senators and Members of the House wrote President Niyazov about this barbaric practice, I am particularly disappointed that the Turkmen President continues to allow the misuse of psychiatric institutions as prisons for political dissidents and that Mr. Tedzhenov remains jailed.

With Ms. Muradova's ties to Radio Liberty and the Congress, as well as the letter from 54 Members of Congress to Niyazov regarding the use of psychiatric hospitals, the continuation of these inexcusable actions will affect the relations between Turkmenistan and the U.S. Congress.

Mr. Speaker, I am urging President Niyazov to ensure the immediate and unconditional release of Amankurban Amanklychev, Ogulsapar Muradova, and Sapardurdy Khajiev, as well as Kakabay Tedzhenov.

TRIBUTE TO MR. RALPH BOZELLA

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise today to honor the patriotism and military service of Mr. Ralph Bozella of Longmont, Colorado.

Soon after graduating with his teaching certificate during the tumultuous years of the Vietnam war, Mr. Bozella's life forever changed one Monday in the late summer of 1970. The ink was barely dry on the teaching contract he signed the Friday before when Mr. Bozella received notice that he had been drafted for service in Vietnam.

Before long, Mr. Bozella found himself at Bien Hoa Air Base near Saigon, Vietnam. From there he was sent to Chu Lai and assigned to a light infantry brigade within the Americal Infantry Division. Mr. Bozella was assigned to search and patrol the area to protect nearby villages during the rice harvest.

On these patrols into the Vietnamese jungles Mr. Bozella courageously volunteered to be the patrol's point man. In this capacity he walked first to find booby traps before they found the rest of the patrol.

Eventually, Mr. Bozella transferred to the U.S. Army Education Center where he taught and tested soldiers in a GED program. With his background in education, Mr. Bozella was grateful that he was able to positively impact soldiers in such an incredibly difficult situation.

Following Mr. Bozella's return from the horrors of the war in Vietnam, he encountered an unsupportive society and was ostracized by his peers. Despite these difficulties, Mr. Bozella earned a masters degree in adult and community education from Colorado State University and went on to serve his community in various roles as an educator and administrator.

Mr. Bozella has been intimately involved in several veterans' organizations, serving as chairman of the Colorado Board of Veterans Affairs and as a State officer with the American Legion.

Mr. Speaker, I am grateful for Mr. Bozella's selfless service to our Nation. I urge my colleagues to join me in recognizing a man worthy of our honor, Mr. Ralph Bozella. I am deeply saddened by the way he was treated when he came home from Vietnam. After the passing of the years I hope that the respect and honor that his is afforded today will help heal those wounds.

HONORING NANCY ALLEN'S SERVICE TO RUTHERFORD COUNTY

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. GORDON. Mr. Speaker, today I rise to recognize Nancy Allen for her service to Rutherford County, Tennessee, as County Mayor for 12 years.

Recently, the Tennessee General Assembly changed her title from County Executive to County Mayor. Her title was not the only thing to change recently. Population projects from the 2000 Census to 2005 show Rutherford County has gained more than 36,000 new residents. Money Magazine recently named Murfreesboro, the county seat and my hometown, as 84th out of the top 100 places to live in the United States. These figures and accolades are due in part to Nancy's leadership ability and the collective vision of the Rutherford County Board of Commissioners over which she has presided and previously served 4 years.

In addition to serving as Chair of the Board of Commissioners, Nancy also chairs the Rutherford County Correctional Work Center Board, Community Care of Rutherford County, Inc., and Regional Transportation Authority. Nancy is a founding member of Recycle Rutherford and a member of the Sam Davis Memorial Association, League of Women Voters, the Oakland Association, and the Rutherford County Chapter of the Middle Tennessee State University Alumni Association and recipient of the 1996 Trailblazer Award. The aforementioned awards and memberships are only a highlight of Nancy's commitment to her community.

I know Nancy will not retire completely from performing public service. It is my hope that she will now have more time to spend on personal pursuits, which will likely include her always supportive family, husband Jerry and daughter Melinda. Thank you, Nancy, for a job well done.

IN MEMORY OF APOSTLE ISAIAH REVILLS MAN OF GOD PREACHER OF THE WORD

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor the memory of a man who I am proud to have called a friend, a constituent, and an inspiration: Chief Apostle Isaiah Revills.

Apostle Revills was born on August 23, 1931 in Moultrie, Georgia, the son of sharecroppers. At the tender age of nine years old, Isaiah's father was murdered by the Ku Klux Klan. His mother was forced to lead the family of nine children, but her rock-solid faith in God saw her through.

Isaiah went on to the Moultrie High School for Negro Youth, where he met a young woman named Ullainee Sanders. Ullainee became his sweetheart and his partner, and on June 4, 1955, Isaiah and Ullainee were married. For the last 51 years, they have been partners in every sense of the word—sharing equally in the joys and burdens of the journey of life.

The young couple moved to Milledgeville, Georgia shortly after their marriage, and there Isaiah began to serve as the pastor of his first church. In 1958 they moved to Albany, Georgia, where together they conducted prayer meetings from house to house. So successful were these meetings that they opened a mission in 1959. Isaiah preached the Gospel there, and as far away as Harlem, as his ministry grew. His congregants grew rapidly in number and they moved to a new facility in the Masonic Hall. Apostle Revills fasted for forty days, a mission that led him to another church building, lovingly called ''The Shanty.'' But the growth continued! Isaiah, a brick mason by trade, built the new church with his own two hands. Shortly thereafter, he went into the ministry fulltime with the constant support of Ullainee.

At the time, Newton, Georgia had a difficult racial climate, but Apostle Revills had a vision from God, and traveled there for a tent crusade. That meeting led him across Georgia, Florida, Alabama, Mississippi, North Carolina, South Carolina, and all the way to California. Apostle Revills was anointed by God in 1966 and went on to many more tent crusades, the largest of which became the annual Camp Meeting in the City of Albany, that ended every year with a baptism at the Mercer Mill.

His ministry grew so large, that in 1981 they opened a new 5,000-seat Cathedral and organized into ten distinct operating districts. Apostle Revills began publishing his Miracle Guiding Star Magazine, and took to the radio and television to preach the Word. He preached in Kenya, Haiti and Israel. In 1991, he was justly recognized as one of Georgia's ten most prominent black pastors.

In 1995, Apostle Revills was formally and publicly ordained as an Apostle of Jesus Christ. He received an honorary Doctorate of

Divinity and his ring, staff, and crown—official symbols of his position. I was fortunate enough to have worshipped with him at this, and several other services, throughout my time as his Congressman.

I remember when I first campaigned for Congress in July of 1992, all of my local political advisors told me I must meet and pray for the blessings of Apostle Revills. His ability to reach out and touch those he met showed that he was truly anointed by God. He was a man of great stature physically, and a giant spiritually. Apostle Revills was a true friend of mine and I will greatly miss his friendship and his guidance—both spiritual and otherwise.

Mr. Speaker, as I rise today to honor Chief Apostle Revills. I also honor his darling wife Ullainee for her service to God and humanity, and for her loving marriage to Isaiah. Together they had five children and five adopted children, and now have 20 grandchildren and several great-grandchildren. Apostle Revills' legacy will surely live on in all of them, and in the faith of his followers.

Mr. Speaker, Apostle Revills is a legend in Southwest Georgia and will be remembered for truthfully speaking the Word of God. I stand here today to honor his legacy and thank him for his friendship. He was truly a man of God and I was blessed to know him.

TAKING OUR CASE TO THE AMERICAN PEOPLE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. WILSON of South Carolina. Mr. Speaker, on Monday I will join Chairman SAM JOHNSON and colleagues on the House Education and Workforce Subcommittee on Employer—Employee Relations for a field hearing in Plano, Texas. This hearing will address a key issue in the debate surrounding illegal immigration: employee verification systems and employer enforcement.

The House border security bill incorporates stringent measures for verifying and complying with employee eligibility. Such provisions are sadly absent from the Reid-Kennedy Senate bill.

Throughout August, we will take our case to the American public. With various field hearings, we will differentiate our border- first approach from the Reid-Kennedy amnesty plan.

Chairman ED ROYCE held two such hearings in July. Mr. Speaker, the response was overwhelming—the American people are on our side!

As we continue to debate this issue, I hope Senate Democrats will realize what the average American already understands: We cannot address illegal immigration without addressing border security.

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

RECOGNIZING HANNAH BARNETT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Hannah Barnett of Saint Joseph, Missouri. Hannah is a student at Benton High School and she has been chosen to receive the YWCA Women of Excellence Future Leader Award.

Hannah is recognized as one of the most sincere and compassionate students at Benton High School. She has been involved in Student Council for four years, was elected homecoming queen, and served as Vice President of both her class and the entire student body.

As an athlete, Hannah has lettered in four varsity sports. She has played on three District Champion basketball teams, served as the captain of the soccer team that advanced to the State Playoffs, and served as captain of the volleyball team. These achievements earned her the honor of being named the Female Scholar Athlete for St. Joseph Sports, Inc.

Academically, she is one of the best and brightest. She is an academic leader who has challenged herself with the most rigorous classes in preparation for her future. She has maintained the balance between her class work and extracurricular activities, while obtaining the rank of second in her class.

Mr. Speaker, I proudly ask you to join me in recognizing Hannah Barnett. She is an outstanding member of our community and I wish her the best in her bright future. I am honored to represent her in the United States Congress.

HONORING THE LIFE OF STAN MOSKOWITZ

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mrs. MALONEY. Mr. Speaker, I rise to express deep and profound sadness at the passing of Stan Moskowitz, CIA Director of Congressional Affairs and integral partner to the Interagency Working Group on Nazi War Crimes, IWG. Mr. Moskowitz passed away suddenly, after playing tennis, on June 29, 2006. It was a great shock to many who were privileged and fortunate to work with him.

Mr. Moskowitz played an integral role in ensuring the disclosure of documents related to the Nazi war crimes. When the Nazi War Crimes Disclosure Act was extended for 2 years in February 2005, then Director of Central Intelligence Porter Goss asked Mr. Moskowitz, who at the time was retiring as CIA's Director of Congressional Affairs, to help him guide the Agency toward a full disclosure of the historical record as captured in CIA files. Based on Porter Goss's commitment, Mr. Moskowitz promised the IWG that CIA would do the following: Declassify information on all Nazis; Declassify operational files associated with those Nazis; Re-review material that had been redacted; Undertake such additional searches that historians or the CIA thought necessary as the work progressed.

Under the leadership of Mr. Moskowitz, the CIA has made good on each of these promises. He played a key role in ensuring the success of the CIA's work during the 2-year extension and made a quick, sensitive, and good humored shift from all of his prior responsibilities to an entirely, new, important and difficult role.

I first learned of Mr. Moskowitz's death from those of us working with the IWG in an effort to release U.S. Government records related to crimes committed by the Nazi and Japanese Governments during World War II. The response to the news was immediate and heartfelt. Since his colleagues conveyed Stan Moskowitz's remarkable character and the important contribution he made to history, I would like to share with you some of their thoughts. One person wrote: "Stan was a man whose broad experience, character and personality drew you in as few have the ability to do. He just radiated intelligence, understanding, empathy, insight, and yes, wit. I will miss Stan." Another wrote: "Stan was a major reason for our success. He may not have always agreed with our conclusions, but he wanted to be sure that the historical record was as complete as possible." Finally: "What terrible, shocking news. Stan was a wonderful person who was unswervingly dedicated to pursuing truth, and he performed great service to his country in a long and distinguished career. He will be greatly missed.

Mr. Speaker, these are just a few of the statements from those who knew and worked with Mr. Moskowitz. I think they speak volumes of this man who contributed significantly to our Nation's history. Most recently, I met Stan Moskowitz at the IWG press conference on June 6. As usual, his comments were informative and insightful. He truly was a national treasure.

I would like to note that Mr. Moskowitz earned many high honors including two Presidential Distinguished Officer Awards, the Director's Medal, the Distinguished Career Intelligence Medal, the Distinguished Intelligence Medal, and the Intelligence Community Medal of Merit. Mr. Speaker, Stan Moskowitz served his Agency, his government, and the people of the United States loyally and with honor. I would like to offer Mr. Moskowitz's family my deepest condolences. He will truly be missed.

COUNCIL OF KHALISTAN PRESIDENT ADDRESSES LONDON INSTITUTE OF SOUTH ASIA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. TOWNS. Mr. Speaker, Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, recently spoke at the London Institute of South Asia, which was holding a seminar on separate electorate in India. He also contributed an article to the Journal of the London Institute of South Asia. Both presentations were on the same theme: freedom for Khalistan, the sovereign Sikh state that declared its independence from India on October 7, 1987, and has been under Indian occupation ever since then.

Dr. Aulakh stressed that a separate electorate within India, although it might help some of the oppressed minorities there, would not be appropriate for the Sikh nation, which is separate and distinct from India. He said that the achievement of full sovereignty and independence for Khalistan is inevitable. He took note of the Sikh farmers whose farms were bulldozed earlier this year by the Government. He discussed the Sikh activists who were arrested for raising the Khalistani flag. "How can India claim it is a democracy and continue to hold political prisoners?" he asked. "How can a democratic, secular state make it a crime to

raise a flag and make speeches? Would America arrest people for raising the Confederate flag? Would the United Kingdom arrest people for speaking in support of Scottish independence?" And the answer is that of course we wouldn't. We may not like these things, but they are not crimes. Yet in India the equivalent act gets you arrested.

Dr. Aulakh noted several other acts of tyranny against the Sikhs, including the kidnapping of human-rights activist Jaswant Singh Khalra, the murder of former Jathedar of the Akal Takht Gurdev Singh Kaunke, the killing of the driver for Sikh religious leader Baba Charan Singh, who was tied to two Jeeps which drove in different directions, tearing this human being apart, and many other atrocities. These things are the mark of a tyrannical, totalitarian regime, Mr. Speaker. Dr. Aulakh writes that in light of these atrocities, "independence for Khalistan is inevitable."

Dr. Aulakh takes note of the rising support for Khalistan in Punjab. He notes the marches being organized, that politicians and other Sikh leaders are speaking out for Khalistan, the seminars held by a former member of Parliament on the subject, and other activities in support of freedom for Khalistan.

Mr. Speaker, the essence of democracy is the right to self-determination. All people and all nations have a right to be free. That is the idea that gave birth to America. As such, we must be active and vigilant in supporting freedom around the world. We should stop our aid and trade with India, which is only propping up the repressive regime. The time has come to put the U.S. Congress on record in support of a free and fair plebiscite in Khalistan and all the minority nations that seek their freedom in South Asia.

Mr. Speaker, I would like to place Dr. Aulakh's article from the Journal of the London Institute of South Asia into the RECORD at this time.

[From the Journal of the London Institute of South Asia, July, 2006]

FLAME OF FREEDOM BURNS IN KHALISTAN: ESTABLISHMENT OF A SOVEREIGN SIKH STATE IS INEVITABLE

(By Dr. Gurmit Singh Aulakh)

January 2006 was not a good month for the Sikh farmers in Uttaranchal Pradesh, India. Their farms were bulldozed and they were thrown out of the state. They had worked peacefully all their lives, but now everything they had worked for was destroyed. Once again, the government had decided to make Sikhs the victims. This continues a pattern of repression that has kept the Sikh Nation from living in freedom or prosperity. Since 1984, over a quarter of a million Sikhs have been murdered at the hands of the Indian government.

There is no way for these farmers to gain redress within the Indian system. They have lost their life's work with no way of making themselves whole. And they have no means to begin again. They received no compensation for their bulldozed property. This is just a recent example of why Sikhs need their own independent country, Khalistan.

Khalistan, the Sikh homeland, declared its independence from India on October 7, 1987. Since then, India's brutal repression of the Sikh nation has intensified. Last year on Republic Day, 35 Sikhs were arrested for making speeches in support of Khalistan and raising the flag of Khalistan. This past June, even more Sikhs were arrested for hoisting a flag and making speeches. They join at least 52,268 Sikh political prisoners that India admitted to holding, according to the Movement Against State Repression (MASR) (as well as tens of thousands of other political prisoners, according to Amnesty International.)

India proclaims itself the world's largest democracy. How can India claim it is a democracy and continue to hold political prisoners? How can a democratic, secular state make it a crime to raise a flag and make speeches? Would America arrest people for raising the Confederate flag? Would the United Kingdom arrest people for speaking in support of Scottish independence?

The Sikhs are a separate people from India—culturally, linguistically, and religiously distinct. As such, the Sikh Nation is logically and morally a separate nation, a separate people. Every day Sikhs pray "Raj Kare Ga Khalsa," meaning "the Khalsa shall rule." It is part of the Sikh consciousness that we are either rulers or we are in rebellion.

Since 1947, the Indian government has been enslaving the Sikh Nation. Under Indian rule, Sikhs are slaves. They are exploited, tortured, and killed for the convenience of the rulers. Despite India's repression of the Sikhs 'symbolized by half a million troops enforcing the peace of the bayonet' the Sikhs are reclaiming the freedom that is our birthright. The record of India's treatment of the Sikhs makes it clear that there is no place for the Sikhs in 'India's democracy'.

In 1995, human-rights activist Jaswant Singh Khalra published a report exposing India's policy of secret cremations of Sikhs under which Sikh men are picked up, tortured, and murdered, then their bodies are declared 'unidentified' and secretly cremated. Khalra did his work by studying several cremation grounds in Punjab. He established about 25,000 Sikhs who have been secretly cremated. Follow-up work has established that the number is around 50,000. Their bodies have never been given to their families. For his work, Sardar Khalra was murdered in police custody; no wonder his body also disappeared.

The one witness to the Khalra kidnapping, Rajiv Singh Randhawa, has been consistently harassed by the Indian regime. He even got arrested for trying to hand information about the repression of the Sikhs to the British Home Minister outside the Golden Temple.

Former Jathedar of the Akal Takht Gurdev Singh Kaunke was murdered by police official Swaran Singh Ghotna. He has never been brought to justice. The driver for Sikh religious leader Baba Charan Singh was killed when his legs were tied to two jeeps which then drove in different directions. The cases of torture by rolling heavy rollers over the legs of Sikh prisoners are too numerous to mention. In 1994, the U.S. State Department reported that the Indian government paid out over 41,000 cash bounties to police officers for killing Sikhs.

The only way that Sikhs will be able to live in freedom, peace, stability, dignity, and prosperity, without constantly fearing for their lives, is by liberating Khalistan.

The establishment of an independent Khalistan is inevitable. Support for an independent Khalistan is rising in Punjab. Last November, Khalistan slogans were raised at Nankana Sahib during the celebration of Guru Nanak's birthday and at a subsequent seminar. More than 25,000 people were in attendance for the birthday celebration. There have been numerous marches demanding freedom for Khalistan in Punjab. Former Member of Parliament Atinder Pal Singh held a seminar on Khalistan. Even when the Punjab Legislative Assembly canceled the agreements that had allowed Punjabi water to be diverted to other states, they openly asserted the sovereignty of the state of Punjab. It seems that the Indian government is aware and afraid of the rising tide of support for Khalistan.

As Steve Forbes wrote in Forbes Magazine in 2002, "India is not a homogeneous state. Neither was the Austro-Hungarian Empire. It attacked Serbia in the summer of 1914 in the hopes of destroying this irritating state after Serbia had committed a spectacular terrorist act against the Hapsburg monarchy. The empire ended up splintering, and the Hapsburgs lost their throne." India is doomed to a similar fate. It is not a single, homogeneous state, but many countries thrown together under one umbrella by the British colonial rulers for their convenience. It has 18 official languages. Such countries historically fall apart. The Soviet Union, Czechoslovakia, and Yugoslavia are other examples from recent history.

Even former Home Minister L.K. Advani has acknowledged the instability of India, saying in Parliament: "if Kashmir goes, India goes." At a seminar in Lahore in November 2005, I predicted that India will break up into five or six different countries. This caused the Akali leaders present to walk out, betraying the interests of the Sikh Nation once again. Sikhs are willing to sit down and negotiate the borders of a free and independent Khalistan. as long as that is the sole subject for negotiation.

The Sikh Nation has a long and distinguished history of freedom and secularism. Guru Gobind Singh Sahib established the Khalsa Nation in 1699 at the historic Vaisakhi Congregation in Anandpur Sahib. This event is celebrated every April on the Sikh holiday of Vaisakhi Day. By his action, Guru Gobind Singh Sahib firmly established a distinct identity for the Khalsa Panth. He gave the Khalsa the blessing of sovereignty and independence: Ain grieb Sikhin ko deon Patshahi. 'Khalsa Bagi Yan Badshah.'

The Gurus laid down the correct way for the Sikh Nation by their example. Guru Nanak Sahib, the first Sikh Guru, confronted the atrocities of the first Mogul ruler Babar against the innocent population. Guru Arun Dev Ji Sahib became a martyr in defense of his principles and acceptance of the will of God. Guru Teg Bahadur Singh Sahib sacrificed his life in defense of the weak and other religions, defending Hindus from forced conversions. Today, it is nationalist Hindus who are carrying out forced conversions, more precisely forced reconversions of those who have converted to another religion.

The tenth and last Guru, Guru Gobind Singh Sahib, completed Guru Nanak Dev Ji Sahib's mission. He infused a new spirit into the Sikh Nation and designed a new road map for the Sikhs. He initiated the Sacrament of Steel (khande de pahul), ordained the first five Sikhs as Singhs B the Panj Piaras, or Five Beloved Ones B and instituted the Order of the Khalsa. From then on, Guru Gobind Singh Sahib commanded the Sikhs to mark their distinct identity known through five symbols: unshorn hair, symbolizing natural and saintly appearance (worn under a turban); a special comb to keep the hair clean; a steel bracelet symbolizing discipline and gentility; the Kirpan. or sword, a symbol of courage and commitment to justice, truth, freedom, and human dignity; and special knee-length under shorts, symbolizing chastity.

In 1706 Guru Gobind Singh left this world for his heavenly abode. Just two ears later. Banda Singh Bahadur established a Sikh Raj. It lasted from 1710 until 1716. From 1716 to 1765, Sikhs went through horrible persecution by the Mogul ruler Aurang Zeb. During that period, Sikhs experienced the chhota ghalugara (small holocaust) and the wadde

ghalugara (large holocaust) In 1762, one third of the Sikh population was killed in three days.

In 1765, Sikhs again established Sikh rule in several Sikh missals (free cantonal republics) as well as the principalities of Patiala, Nabha, Faridkote, Kapurthala, Jind, and Kalsia. This lasted until 1799 when Maharajah Ranjit Singh established Khalsa Raj in Punjab by uniting the missals and principalities. They marched into the capital city of Lahore and hoisted the Sikh flag, manifesting the spirit of liberty reaffirmed at the Vaisakhi of 1699. This Khalsa Raj lasted until 1849 when the British conquered the Sub-continent. This Sikh nation of Punjab was recognized by most of the Western powers of the time. The contemporary struggle to liberate the Sikh homeland, Punjab. Khalistan, is part of the same historical process.

Maharajah Ranjit Singh's rule was the Golden Age for Punjab. Sikhs destroyed Mogul rule and stopped invasions from the Afghan rulers to the west. Under the command of Hari Singh Nerwa, Sikhs defeated the Afghans and occupied Kabul. Nelwa left Kabul after securing the promise from the Afghans that they would not cross east of the Khyber Pass. Maharajah Ranjit Singh and Hari Singh Nerwa invaded Kashmir, which was part of Afghanistan. and annexed it to Punjab in 1819. India and Pakistan owe a debt of gratitude to the Sikhs, as both countries claim Kashmir as their own.

During Maharajah Ranjit Singh's rule, Hindus, Muslims, and Christians all had a share of power alongside the Sikhs. All of them were represented as ministers in his Cabinet. The Faqir brothers, who were Muslims, were trusted ministers in the inner circle of Maharajah Ranjit Singh. General Ventura, a Christian, was in charge of the artillery. The Hindu Dogras (Dhian Singh Dogra and his brother Lal Singh Dogra) wielded enormous power with Maharajah Ranjit Singh.

The Dogras betrayed the Sikhs and connived with the British in the defeat of the Sikh army.

When Hari Singh Nalwa took a lone bullet from an Afghan, he wrote his last letter in blood rather than ink to bid his last fateh to Maharajah Ranjit Singh. Nalwa had previously asked for more troops but those letters were intercepted by the Dogra brothers, who kept the requests to themselves instead of telling Maharajah Ranjit Singh. They wanted Hari Singh Nalwa to be killed.

Nalwa instructed the messenger to give his letter to Maharajah Ranjit Singh personally and to no one else. The messenger arrived early in the morning.

Maharajah Ranjit Singh and Dhian Singh Dogra were out for a morning walk. When the messenger tried to give the letter to Maharajah Ranjit Singh, Dogra tried to intercept it. The messenger told Maharajah Ranjit Singh that he was instructed to give the letter to him personally. When Maharajah Ranjit Singh read the letter, he was so angry with Dhian Sigh Dogra that he hit Dogra with his water bucket. Then he instructed the army to get ready to march towards Afghanistan.

They arrived at the River Attack. It was flooded. It had overflowed its banks. The Sikhs wanted to wait until the flood was over, but Maharajah Ranjit Singh led his horse into the river. The water went down and the Sikhs crossed the river. Maharajah Ranjit Singh fought the Afghans and defeated them. That stopped the incursion of the Afghans into the Sikh territory of Punjab.

After the demise of Maharajah Ranjit Singh in 1839, the British infiltrated their agents like the Dogra brothers and others into the Sikh Raj. Sikh rulers were murdered, one after the other. The Sikhs gave the British a tough fight in the Anglo-Sikh wars, but the Sikhs lost the war through the betrayal of the Dogra brothers and the British annexed Punjab in 1849.

The Sikh Nation's desire for sovereignty has not diminished. Sikhs always recite the couplet 'Raj Kare Ga Khalsa' after their morning and evening Ardas (prayers.) The Sikhs actively participated in the Indian struggle for independence from the British. Although Sikhs were just 1.5 percent of the population, they gave over 80 percent of the sacrifices in the freedom struggle. 2,125 Indians were executed during the freedom struggle. Of these, more than 1,500 were Sikhs. Out of 2,645 exiled by the British, 2,147 were Sikhs.

At the time of India's independence in 1947, the Hindus of India and the Muslims of Pakistan received sovereign, independent states. Sikhs were supposed to be a party to the arrangement and receive their own state as well. But the Sikh leadership of the time accepted the false promise of Jawahar Lal Nehru (reaffirmed in resolutions of the Indian National Congress) that they would have 'the glow of freedom' in Punjab and no law affecting Sikh rights would be passed without Sikh consent. On this basis Sikhs took their share with India.

However, soon after the independence of India. the Sikhs discovered that they had been betrayed. The Indian leaders had no intention of giving them what they had promised. Home Minister Patel shamefully sent out a memo describing Sikhs as a 'criminal tribe'. The repression of the Sikh Nation began with that memo and continues to this day.

The time has come for Sikhs to break free of the repressive Indian regime. This is the only way that their human rights will ever be respected. And the world is beginning to notice. In the United States Congress, the Congressional Record is serving as a vehicle to keep an accurate record of the repression and to defeat India's effort to whitewash the situation and the history of the Sikhs and other minorities. The Congressional Record carries repeated calls for a free and fair plebiscite on the independence of Khalistan and the other nations seeking their freedom from India. There are also repeated calls for a cut off of U.S. aid to India until human rights are respected. The pressure is mounting for human rights and freedom in South Asia. How soon will India collapse under the pressure? It is only a matter of time.

RECOGNIZING CHERYL HALE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Cheryl Hale of Saint Joseph, Missouri. Cheryl has enjoyed a successful banking career spanning 28 years and has been chosen to receive the YWCA Women of Excellence Award for Women in the Workplace.

Cheryl truly built her career from the ground up. At the age of 22, Cheryl already had a family to support, yet she had little education and experience. She took the initiative and obtained her General Education Degree. She then took her first job working as a bookkeeper, while she began taking college classes at night. In 1990, Cheryl graduated Summa Cum Laude from Missouri Western State College with a degree in Business Administration.

As a member of the community, Cheryl has been a major advocate of the "Profit in Education" program. She has audited books for several Parents and Teachers Association's in the area, and served on the boards of Band Boosters and The Coalition for Achievement. Currently, she serves on the Clarence J. Carpenter Memorial Fund Board and is very active in the Pony Express Chapter of the American Business Women's Association.

Mr. Speaker, I proudly ask you to join me in recognizing Cheryl Hale. Her commitment to education, business, and the community are truly remarkable. I am honored to represent her in the United States Congress.

TRIBUTE TO CHATHAM TOWNSHIP

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor Chatham Township, in Morris County, NJ a vibrant community I am proud to represent. On September 9, 2006, the good citizens of Chatham Township are commemorating their bicentennial anniversary celebration with a day long extravaganza featuring a Fireman's Parade and an old-fashioned country fair.

In 1806 the Commonwealth of New Jersey officially incorporated the 23 square miles of land to the north and east of the Great Swamp and west of the Passaic River as the Township of Chatham. It originally included the areas that are now the boroughs of Chatham, Madison and Florham Park. The coming of the Morris and Essex Railroad in 1837 led to sharp increases in the population of the township which resulted in incorporating Chatham, Madison and Florham Park as separate boroughs.

In the late 1870s and 1880s the area became a center of the rose-growing industry. The specialty of one of the greenhouses was the American Beauty rose with a 5-foot-long stem. At Christmas they were sent to European royalty. Fifty were also sent to Queen Victoria in recognition of her golden anniversary.

After a 5-year construction ban during World War II, large farms gave way to luxurious home sites. Former rose farms became two major shopping centers at the comer known as Hickory Tree, named for a hickory tree planted during President James Madison's term.

In 1959 the Port Authority of New Jersey and New York considered the Great Swamp to be the ideal location for a major metropolitan airport. Through the massive efforts of area residents, the Great Swamp was secured through donations as a federally protected wilderness area now known as the Great Swamp Wildlife Refuge, a national treasure.

High above the Passaic River on the east side of town, the Little Red School House was built in 1860. A school until 1928, the building eventually became the property of the township and housed the police and administrative offices until 1988. Today the historic building appropriately houses the Township Museum and Historical Society.

Today Chatham Township consists of 9 square miles housing 10,000 people. The

horse farms, dairy farms and rose greenhouses are gone, but the five-person township committee form of government continues as it was in 1806.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the residents of Chatham Township on the celebration of 200 years of rich history and the building of one of New Jersey's finest municipalities.

TRIBUTE TO MUNCIE SHERIFF IN SNIPER ARREST

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. PENCE. Mr. Speaker, a tragic tale of death and sniper shootings over the weekend has turned into a bittersweet success story for law enforcement in my home state of Indiana.

Early Sunday morning, after leaving a relative's hunting party on a Washington County farm, Zachariah Blanton, a 17-year-old Gaston, Indiana native, committed four shootings—two along Interstate 65 in Jackson County and another pair along Interstate 69 in Delaware County.

The previous two left Jerry Ross, age 40 of New Albany, dead and another man injured.

Mr. Speaker, this tale is all too familiar to those living in the 50-mile radius of this very Chamber from which we speak today. For it was October of 2002 when the hearts of the American people were troubled by barbaric acts of terror that felled innocent women, men, and even children, in the vicinity of our Nation's Capital.

Whatever the motivation, the acts of John Allen Muhammad in Washington and Zachariah Blanton are acts of terror. These perpetrators defied civilized behavior and believed they could defy the finest local, State, and Federal law enforcement in the world. How wrong they were.

Mr. Speaker, Zachariah Blanton was apprehended by Indiana law enforcement on Tuesday of this week, just two days after his heinous crimes.

Compared to the sad slayings that paralyzed Washington for nearly two months in 2002, one can only stand in honor and amazement at the quick end to the events of this week in the Hoosier State.

Mr. Speaker, I applaud the coordination efforts of the Indiana State Police with Jackson County officials, but rise with particular deference to Sheriff George Sheridan and his Delaware County Department of whom the residents of East Central Indiana are most proud this morning.

Mr. Speaker, the nation is watching Delaware County and Sheriff George Sheridan, and the nation is impressed.

On behalf of the residents of east central Indiana, I offer a heartfelt thanks to Sheriff George Sheridan and all law enforcement officials across the Hoosier State. God Bless you for your hard work.

HONORING SANDY AUGLIERE ON HER 90TH BIRTHDAY

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to honor Sandy Augliere on her 90th birthday and recognize her many accomplishments as well as her years of dedication to the Lake Barcroft community.

Sandy Augliere was born Mary Margaret Reed in Marion, N.C., but most everyone who has met her knows her simply as Sandy. Through her engaging personal demeanor and business acumen, Sandy has become an institution in the Lake Barcroft real estate community. In addition, Sandy has been a dedicated and loving wife to her husband Vince, and mother to her four children, Carol, Noel, Reed and Tom.

The senior associate broker at Long and Foster, Sandy has been in the real estate business for some 50 years. She has been in the top 1 percent of Realtors nationally and is a lifetime Million Dollar Club member. In the course of her impressive career, she has sold or re-sold approximately 700 to 800 of the 1,044 houses in the Lake Barcroft. Even today, Sandy works seven days a week, and has no plans to quit.

In establishing her impressive real estate accomplishments, she led opponents of discrimination against African Americans in the home buying market. Sandy sold homes to a diverse group of individuals and families, including Supreme Court Justice Thurgood Marshall and Attorney General of the United States Ramsey Clark.

Throughout her ongoing success, she has never advertised on television. Instead, she depends on friends and word of mouth. If asked, Sandy is quick to point out that her personal touch has always been a hallmark of her success. This same personal touch has been felt in Lake Barcroft through her community service as Lake Barcroft Association president and Woman's Club president.

Mr. Speaker, in closing, I would like to extend my heartfelt thanks to Sandy Augliere for her contributions to the Lake Barcroft community. She is an exemplary model of success and citizenship. I call upon my colleagues to join me in recognizing her on the occasion of her 90th birthday.

TRIBUTE TO 100TH ANNIVERSARY OF OLD TIMERS DAY

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Ms. HART. Mr. Speaker, I would like to take this opportunity to acknowledge the 100th Anniversary of Old Timers Day, a city tradition in New Castle, Pennsylvania, since 1906.

The first annual Old Timers picnic took place at Cascade Park on August 23, 1906, drawing in 7,000 residents of New Castle and has continued as an annual affair. The second year's picnic drew 11,000 people, and by the third year, attendance jumped to 17,000. The figures have fluctuated throughout the years, but this event has always been a success and an important community event.

This year's festivities will be no exception, thanks to the chairmen and the community leaders who have planned the event. Activities will include: dancing, refreshments, prizes, and souvenirs.

I ask my colleagues in the United States House of Representatives to join me in honoring the "Old Timers" of New Castle and their families. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute the achievements and fine traditions that truly improve the lives of the senior citizens of the New Castle and neighboring communities.

REPUBLICAN FISCAL POLICY IS WORKING

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. KNOLLENBERG. Mr. Speaker, earlier this month the White House Office of Management and Budget handed down good news in its mid-year budget update—the Republican fiscal policy is working. This year's budget deficit is now forecasted at $296 billion, which is 30 percent lower than the February projections.

We have made great progress in eliminating the budget deficit through fiscal responsibility and through increased tax revenues brought on by lower taxes.

Since the President's tax cuts were fully implemented in 2003, we have seen consistent and substantial growth in tax revenue. This reaffirms our knowledge that when we ease the tax burden on the American people, we become more productive. As we face future budget challenges it is important to keep that fact in mind.

We must do what is best for Americans. As we all can see by the new forecasts . . . cutting spending and reducing taxes produces real results.

EXPRESSING SENSE OF CONGRESS THAT VENEZUELA SHOULD SUPPORT STRATEGIES FOR ENSURING SECURE AIRPORT FACILITIES

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2006

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to revise my previous statement regarding H. Con. Res. 400. I rise in opposition to H. Con. Res. 400. While I believe the United States should address the issue of drug trafficking from Venezuela, this resolution is too harsh a condemnation of the Government of Venezuela.

It should be the goal of the United States to work closely with Venezuela and the other nations of this region to combat the trafficking of narcotics and other controlled substances. It is not only out of concern for the welfare of our own Nation if illegal substances and laundered

money are allowed safe passage here; we must also express our concern for the welfare of Venezuelans and others around the world. The control of harmful substances is an international effort in which we must all take an active and engaged role.

I am deeply committed to fighting our international war on drugs. However, the United States diplomacy has been entirely too weak in this regard, and we must recognize that Venezuela is an ally, not an enemy. Our foreign policy must be governed by what is best for the American people rather than by what party is in power. Recent evidence shows a general lack of enforcement in Venezuela of the measures necessary to avoid the trafficking of narcotics and other controlled substances. However, instead of delivering a political attack to a nation for a lack of customs control in an international airport, we must be constructive and pragmatic in our call for stricter enforcement.

I support the message of this resolution to ensure the compliance of the international community with the Organization of American States conventions and comprehensive treaties on narco-terrorism. However, we would benefit from more constructive engagement in diplomatic relations with our allies in the Western Hemisphere rather than simply issuing a reprimand.

I urge my colleagues to vote against this resolution and support better diplomatic relations with the Government of Venezuela.

INTRODUCTION OF THE PATIENTS' ACCESS TO PHYSICIANS ACT (PAPA)

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. DINGELL. Mr. Speaker, this legislation responds to the fact that physicians are currently scheduled to receive a significant reduction in their Medicare payments over the next 5 to 10 years. The Medicare Trustees have projected that Medicare payments to physicians will be cut by 4.6 percent in January. And, if Congress does not act, physicians will see a cumulative cut of approximately 37 percent through 2015. Providers in Michigan alone stand to lose $8 billion over this time period if the cuts that are forecast are allowed to take effect.

My legislation would provide a temporary halt to these Medicare physician payment cuts. It would provide a positive physician update, expected to be between 2 and 3 percent, in both 2007 and 2008. The update would reflect physician practice cost inflation. This follows the advice of the Medicare Payment Advisory Commission's recommended formula of increases in physician practice costs minus productivity adjustment.

This legislation would also protect beneficiaries from any additional premium increases that would otherwise be caused by this change in physician payments for these 2 years. For seniors living on fixed incomes, unexpected increases in their living expenses can impose hardship. The Part B premium already consumes 9 percent of the average Social Security check. Thus, the bill ensures that beneficiaries would not see an increase in beneficiary premiums due to Congressional action to increase physician payments.

It is critical that Congress protect the right of beneficiaries to see their doctor in Medicare. The vast majority of seniors and people with disabilities are and will remain in Medicare where they have the freedom to choose their own doctor and get the care that is right for them.

While ideally we will develop a new payment system that integrates payment and quality, we do not have enough information and data to implement such a system at this time. My legislation would provide a temporary increase for doctors while Congress continues to work toward a permanent solution.

IN HONOR OF MARY LOU McCUTHEON'S SERVICE TO THE SENIOR CITIZENS OF SUSSEX COUNTY, NEW JERSEY

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. GARRETT of New Jersey. Mr. Speaker, for 15 years, Mary Lou McCutcheon has served the senior citizens of Sussex County with integrity, dedication and pride. Under her leadership, first at the County Office on Aging and then at the Division of Senior Services, seniors in Sussex County have seen an improved quality of life financially, medically, and socially. She has always put forth extra effort, going far beyond what was required of her job, to address the needs of the elderly in Sussex communities with true compassion.

Mary Lou has also served as a spokesperson for the elderly on both the state and national level. Just last year, Mary Lou was appointed by the Governor to be part of the New Jersey delegation to attend the White House Conference on Aging.

Her achievements have been too numerous to list and will not be forgotten anytime soon. Without a doubt, Mary Lou has touched the lives of many through her public service in Sussex County. Upon the occasion of her retirement, I extend my warmest appreciation to Mary Lou for her years of service and my best wishes for a happy retirement.

UNITED STATES AND INDIA NUCLEAR COOPERATION PROMOTION ACT OF 2006

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5682) to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India:

Mr. UDALL of Colorado. Mr. Chairman, I rise in qualified support of this legislation.

India is the world's largest and most diverse democracy and a strong ally and friend of the United States. As a member of the India Caucus, I recognize the benefits of increased economic, security, and cultural cooperation between India and the United States and am proud that in recent years the relationship between our two countries has made rapid advances in so many areas.

Because of the growing importance of that relationship, it made sense for the Bush Administration to consider expanding the U.S.-India strategic partnership to include civilian nuclear energy development. In the context of our friendship with India, I support the concept of civilian nuclear cooperation, and I will support this legislation today.

U.S. law prohibits nuclear cooperation with countries that have not pledged under the Nuclear Nonproliferation Treaty—like India—to forgo nuclear weapons. H.R. 5682 carves out an exception for India to allow it to gain access to long-denied civilian nuclear technology in exchange for opening 14 out of 22 of its nuclear facilities to inspections under the International Atomic Energy Agency. Importantly, the bill requires that India and the International Atomic Energy Agency negotiate a safeguards agreement and that the Nuclear Suppliers Group approve an exemption for India before Congress votes on the final cooperation agreement. That means Congress will have a chance to vote up or down once more, this time on the final negotiated agreement. I think that's the right approach.

In exchange for getting access to sensitive nuclear technology and fuel supplies, India has promised to continue the moratorium on nuclear weapons testing, to separate its civilian and military nuclear programs and not to transfer the nuclear technology to third parties.

But the deal would not prevent India from ramping up its military nuclear program. Whether or not India actually begins building more nuclear arms is less important than the fact that it will have the capability to do so, and it is unclear what actions countries like China and Pakistan might take in response to that new reality.

I tend to agree the statement by Rep. BERMAN (D–CA) in his additional views on H.R. 5682 that ''only a halt on fissile material production would make this deal a net plus for nonproliferation.'' In the July 2005 joint statement between President Bush and Prime Minister Manmohan Singh, India committed to ''assume the practices and responsibilities'' of other advanced nuclear powers. With four of the five recognized nuclear weapons states already having stopped producing fissile material for nuclear weapons and China believed to have halted production, it would seem that India should be able to ''assume'' this important practice.

Yet the agreement itself does not include any promise by India to cease its production of fissile materials. So I remain concerned about the potential effects of the agreement on our broader nonproliferation goals, since the real has ramifications far beyond the U.S.-India relationship. That's why I supported an amendment based on a proposal by former Senator Sam Nunn to allow the exports of nuclear reactors and technology to India but not the transfers of reactor fuel until it had been determined that India had halted the production of fissile material for its weapons program.

We must try to strike the right balance between strengthening our relationship with India and also maintaining our robust and time-tested international nuclear nonproliferation regime. I will support the bill today, but once the

agreement has been negotiated and before Congress takes its final vote on the deal, I plan to carefully scrutinize the agreement to ensure that it strikes a balance I can support.

HONORING TIM FRIEDMAN

SPEECH OF

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 2006

Mr. McDERMOTT. Mr. Speaker, I rise to acknowledge Mr. Tim Friedman's 30 years of dedicated service in the U.S. House of Representatives and the Democratic Cloakroom.

Now 30 years may seem like a long time, but really it's only 6 in ''Tim Years.'' That is to say, six World Series wins resulting in rings for the Yankees. I have to wonder if Tim's retirement may have something to do with the prospect of Barry Sullivan's Boston Red Sox winning a few more World Series' and narrowing the Yankees' lead in titles.

Now safe at home—quite literally—I can publicly disclose how I caused one blemish on Tim's otherwise perfect congressional record. The March Madness NCAA basketball tournament bracket was overseen by Tim for years, and he ran a tight ship. You were in by the deadline, or you were out of the pool—except for this one time.

On a late flight home I realized that I had forgotten to put my entry in for the congressional NCAA pool. As soon as I returned to D.C., I petitioned the court of last resort, Tim Friedman, believing my cause was virtually hopeless, but imagining myself shooting that desperate last second three-pointer to win the big game.

To my complete surprise, Tim allowed my desperate shot to count, and he allowed me to slip in my late entry. Even with his charity, I still managed to go 0 and out in the Big Dance! Still, I'll never forget his wisdom for letting me in, and my folly for believing I could handicap the results.

Tim's sports enthusiasm—near-fanaticism, really—will be sorely missed around the Cloakroom. More than that, however, we will miss Tim Friedman's smile, his warmth and his gracious humanity. We hear a lot about world-class athletes. Tim Friedman is a world-class human being.

It has been my distinct pleasure to work with him, an honor to know such a genuine and goodhearted man, and a sad but proud moment for me to say goodbye and best wishes.

CELEBRATING THE LIFE OF AL BROUNSTEIN

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. THOMPSON of California. Mr. Speaker, I rise today to celebrate the beautiful and inspirational life of a true American icon. Al Brounstein, a longtime leader in California's Napa Valley and producer of some of the world's finest wines for over 30 years, passed away on June 26.

While Al's name may not be easily recognized in these halls of Congress, millions of the constituents we represent have benefited from the extraordinary quality, high standards and international recognition he has brought to the American wine industry.

Al Brounstein's single vineyard Diamond Creek cabernets have set the industry standard for quality and enduring structure for more than three decades. National and international wine critics have long credited Diamond Creek's unmatched success with Al's pioneering efforts in bringing the French tradition of ''Terroir'' to our shores. But to those of us who have had the pleasure of getting to know Al, it is at best naive to ignore the fact that more than any other single ingredient, Al's character was responsible for the works of art he bottled. The land and the climate were only a part. It was Al. Or as I like to call it: It was the Napa Valley tradition of ''Al'oir.''

I had the honor and extreme pleasure of knowing Al and his wonderful wife Boots for many years. While the world outside of our valley may have known him for his wine, those fortunate enough to be a part of his community knew him for his sense of humor, his love of life, his loyal friendship and his heroic, 23-year battle against a debilitating neurological disease.

Mr. Speaker, I know I am not the first and I certainly will not be the last public official to express his disappointment over a newspaper account. But I was angered to read a recently printed report regarding Al, stating he had passed away after ''losing his battle with Parkinson's.'' Those of us who knew Al well know that he did not ''lose'' one darn thing to Parkinson's. Parkinson's may have picked the fight, but it was Al who ended up kicking its backside.

Al fought it with a sense of humor and a wry wit that remains unmatched. He also fought it with his commitment and tireless efforts that raised millions of dollars to fund research for a cure.

Mr. Speaker, if there is one disease in our modern time that knows it was in a fight, it is Parkinson's and it has Al's boot prints all over it. Every time he refused to complain about his illness, it took a kick. Every time he created another original painting that would be auctioned for research, it took a kick. And every time he tried to put his visitors at ease by shrugging off his tremors with a funny quip, he gave it another swift kick.

All of us were so very proud of Al and Boots when he was recognized for his leadership in this field by winning the ''Buddy'' Award for Enduring Spirit at the Annual Morris K. Udall National Awards Ceremony just a few years ago.

And Al's vision went far beyond making great wine and fighting disease. He had an equally unbridled vision and passion to make friends with nearly everyone he met. And, like his wine, he just did not simply make them, he nurtured and cared for them.

Mr. Speaker, nearly a thousand of these very special friends are gathered today at the Culinary Institute of America to celebrate Al's remarkable life. They represent diverse backgrounds and many uncommon occupations brought together by one common influence.

Al liked to refer to the famous budwood he creatively brought into California from France to start his vineyard as ''suitcase clones.'' Whether you knew him as a salesman in his early days or as a vintner, artist neighbor, national spokesman or loving family member, we all carry a little of Al with us today. We, in a sense, could be considered his budwood. And we, in a sense, have a responsibility to spread the spirit and vitality that defined this American icon.

Al has encouraged us to be proud of what we do, focus on what matters, strive for quality, and always remember that we are all part of something that is much larger than ourselves.

Like his wines, the powerful concentration of his vision and the enduring structure of his character will continue to last for a very long time through the lives he has touched.

TRIBUTE TO THE SESQUICENTENNIAL OF THE CITY OF BRODHEAD, WISCONSIN

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Ms. BALDWIN. Mr. Speaker, it is with great pride that I rise today to recognize the sesquicentennial celebration of the city of Brodhead, Wisconsin. I am indeed fortunate to represent such a great city.

Brodhead is a proud and progressive community of 3,200 found in the beautiful countryside of southern Wisconsin. This peaceful city offers several unique tourist attractions. The most notable is the 23-mile long Sugar River Bike Trail, which includes a ride under the National Award Winning Clarence Covered Bridge replica constructed by the Brodhead Jaycees. Brodhead sponsors an annual festival in honor of the bridge, Covered Bridge Days, which features a tractor pull and flea market.

The city was formally founded during the spring of 1856, and named in honor of engineer Edward Brodhead, who was the mastermind behind the Milwaukee and Minnesota Railroad. Only a year later the infamous Brodhead Band was founded. The bandwagon was pulled by six horses and traveled far to Freeport, Illinois, for the Lincoln-Douglas debate. They even enlisted in the Civil War and marched in the Grand Review in Washington at the end of the war.

Residents point to the Half-Way Tree as their city's most recognized feature. The bur oak tree is located south of the city, and marks the halfway point from the Great Lakes to the Mississippi River. It is believed that Native Americans planted the tree purposefully there in the 19th century.

Brodhead's rich history in manufacturing and industry has and continues to provide the city with a solid economic foundation. Most recently, Stoughton Trailers, Kuhn Knight, Inc., and Woodbridge Corporation have helped to contribute to Brodhead's prosperity.

The celebration for this momentous milestone will start on August 11 with an opening ceremony followed by a city-wide street dance. The residents of Brodhead will continue to commemorate 150 years through the weekend, finishing on August 13 with tractor pulls and fireworks. The festivities' theme of ''Pride in the Past, Faith in the Future'' is a perfect representation of all that this wonderful city encompasses. The people of Brodhead

deserve recognition for their great contributions to the state of Wisconsin, and I congratulate them on reaching this historic benchmark.

TRIBUTE TO CORPORAL MATTHEW WALLACE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. HOYER. Mr. Speaker, the tragic death of a young soldier from St. Mary's County, Maryland, who gave the ultimate measure of sacrifice in the global war on terror, saddens all of us. As we continue to fight this war, the loss of each and every service member is a tragedy.

St. Mary's County, the State of Maryland, and our Nation lost a great hero when Army Corporal Matthew Wallace of Lexington Park died from his injuries after being hit by a roadside bomb on July 16th.

Matthew Wallace is the 50th Marylander killed in the war in Iraq.

Matthew told his family that he dreamed of becoming a soldier. Today, a grateful Nation thanks him for sacrificing his life in the pursuit of enduring freedom.

He served in the Army's 10th Cavalry Regiment, 2nd Brigade Combat Team, 4th Infantry Division at Fort Hood, Texas. Often working at the front of his larger unit, he earned distinctions as a marksman and earned the Army Achievement Medal.

In correspondence with his family, Wallace expressed his hope that he was helping the Iraqi people. Unquestionably, his efforts gave generations of Iraqis the dream of democracy.

Wallace attended Great Mills High School, earned his GED, and worked at several local businesses in his hometown of Lexington Park, including Linda's Cafe and a local convenience store where his co-workers praised his maturity and sense of commitment. He enlisted in the Army in early 2004.

When he deployed to Iraq in December, he was well aware of the danger he would be facing. "He chose to do this," his mother said proudly. His sister Jessica recalled flying home from Basic Training with Matthew, who was still in full uniform, and a man came up to him and thanked him for his service. His older sister said she then realized, "he was now America's son, America's brother."

Matthew's service to our Nation was source of great pride to his parents, Keith and Mary, as well as his sisters, Jessica, Abigail and Micah. Matthew was a Top Gunner for a Bradley Vehicle for his unit in Iraq who once told his mother "he was going to fight the war on terror so his sisters' children never had to." He felt compelled by the events of September 11 to do something more for his Nation.

Indeed, Matthew Wallace gave his life for all of us. As his Representative in Congress, I am grateful for his patriotism and his sacrifice. The Fifth District of Maryland and all Americans join the Wallace family in mourning the loss of this fine young man a real hero.

STATEMENT RECOGNIZING THE 32ND ANNIVERSARY OF TURKEY'S INVASION OF CYPRUS

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. LANGEVIN. Mr. Speaker, as a proud member of the Hellenic Caucus, I wish to recognize the 32nd Anniversary of the Turkish invasion of Cyprus. On July 20, 1974, under the pretense of peace-keeping operations, Turkish forces occupied northern Cyprus and gained de facto control in the annexed territory. Today we remember those who lost their lives, the barrier that was erected, and the political upheaval it created. Sadly, despite attempts by the United Nations for a reunification settlement, the country remains divided.

On this anniversary, in addition to mourning and remembering, let us also look forward as positive developments have recently occurred. Earlier this month, Cypriot President Tassos Papadopoulos and Turkish Cypriot leader Mehmet Ali Talat agreed to begin a process of bilateral discussions to find a comprehensive settlement to the ongoing Cyprus problem. Both sides recognize that the status quo is deplorable and its prolongation will continue to have negative consequences for both Turkish and Greek Cypriots. The Set of Principles agreed to by the leaders includes a commitment to the unification of Cyprus based on a bizonal, bi-communal federation and political equality, as set out in Security Council resolutions. Discussions would immediately commence to focus upon issues that affect the day-to-day life of the people while addressing those that concern substantive issues, both of which will contribute to a comprehensive settlement. This momentous agreement is the first step to engage in direct negotiations since Cyprus's admission to the European Union on May 1, 2004.

Recent events represent great triumphs for the Cyprus state and affirm Cyprus's willingness and determination to diplomatically resolve the decades-old inter-communal conflict. U.S. support, in conjunction with the U.N. and EU, will play an integral role in ensuring successful Cypriot negotiations. The United States must consider Cyprus as one of our nation's top foreign policy priorities. As Americans, we must guarantee that our foreign policy reflects our values of justice, equality and responsibility, and promoting a lasting peace and stability in Cyprus will help further those values. The United States holds a unique position of trust with both Greece and Turkey, and we must use our influence to work toward a solution that is acceptable and equitable to all of Cyprus's residents.

The European Union will also play an important role in charting the future of Cyprus. I was a strong advocate of Cyprus's admission to the EU because Cyprus, like the United States, shares a commitment to democracy, human rights, and the concept of equal justice under the law. Also, the EU's consideration of Turkey's application for membership provides a prime opportunity for needed reforms. If Turkey wishes to increase its global profile and to gain the world's respect, it must earn it by demonstrating its commitment to peace in Cyprus, as well as other important priorities such as ending the blockade of Armenia. Members of the EU have expressed similar concerns, and I have urged Secretary Rice to emphasize those factors as the EU continues its deliberations.

Despite the obstacles and disappointments we have experienced in the past, we cannot abandon our vision of a Cyprus that is again unified and able to reach its fullest potential in the international arena. The United States has stood beside her in the past, and we will undoubtedly maintain this strong relationship for years to corne.

Again, I thank my colleagues on the Hellenic Caucus for their recognition of this important event.

TRIBUTE TO DR. GLORIA JEAN McCUTCHEON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a community leader, university professor, and accomplished scientist, Dr. Gloria Sanders McCutcheon. After a distinguished career spanning over 30 years, Dr. McCutcheon is retiring from Clemson University. Throughout her tenure in academia, she has blazed trails for future generations and has provided steadfast support to her community.

Renowned scientist Dr. George Washington Carver once said, "When you do the common things in life in an uncommon way, you will command the attention ofthe world." Dr. McCutcheon has taken this admonition to heart. Born and raised in Denmark, SC, she is a product of its public schools. She is the daughter of Mr. David Sanders, Sr. and the late Mrs. Hattie Mines Sanders, who taught her the value of hard work, a good education, and a close personal relationship with the Almighty. She completed her secondary education at Voorhees High School, and the bachelor and masters degrees at Clemson University, B.S. zoology and M.S. entomology.

With that foundation, Dr. McCutcheon decided to take a different path in her professional life, becoming a pioneer in the field of entomology. In 1987, she received a doctorate from the University of Georgia, becoming the first African American to earn a Ph.D in entomology from that institution. After returning to her native South Carolina, Dr. McCutcheon became an integral part of the Clemson University faculty.

Dr. McCutcheon currently serves as a research scientist and professor emerita in the Department of Entomology, Soils, and Plant Sciences at Clemson University. Her research has contributed greatly to the decrease in pesticide usage in soybean, cotton, and vegetable production. She has published over 75 papers in scientific journals and extension manuals, as well as two book chapters as Encyclopedia Entries.

She is a Kellogg Fellow and has traveled throughout the U.S. and to South America, Central America, Europe and Africa to study and teach environmental entomology. She has been honored with the Award for Faculty Excellence by the Clemson University Board of Trustees in both 2002 and 2004. She has

served as president of the South Carolina Entomological Society and has served on numerous committees with the Entomological Society of America.

Dr. McCutcheon serves as president of Gamma Zeta Chapter of Zeta Phi Beta Sorority, Inc. in Charleston, SC. She has participated in several units of United Methodist Women, UMW, and is currently serving as historian for the UMW at Trinity UMC in Orangeburg. She recently completed 12 years as a member of the Board of Trustees at Columbia College and participated in a Roundtable with Policy Makers televised from Washington, DC in 1995, ''Shortchanging Girls, Shortchanging America.'' Dr. McCutcheon was awarded the Unsung Hero Award for Outreach by the Congressional Black Caucus for her contributions to the community.

Married to Rev. Larry D. McCutcheon, she continues to grow and share in their ministry at Trinity United Methodist Church. They have been blessed with two wonderful adult daughters: Priscilla is a political scientist and Ph.D. graduate student at the University of Georgia; Carmen is an attorney specializing in health policy.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Dr. Gloria McCutcheon upon her retirement from Clemson University and for her extraordinary achievements. She has stayed true to the vision of her parents and her community service, and has commanded great attention by her words and deeds.

STATEMENT RECOGNIZING THE SUCCESS OF BUILDING SAFETY WEEK

HON. JOHN J. H. ''JOE'' SCHWARZ

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. SCHWARZ of Michigan. Mr. Speaker, I rise today to recognize the success of Building Safety Week 2006, an annual, nationwide event sponsored by the International Code Council, ICC, that took place from May 7 to 13. The goal of Building Safety Week is to increase awareness of building safety and fire prevention issues through a variety of activities on the national, State and local levels.

This year, the ICC Board of Directors and members of the ICC Government Relations Advisory Committee, GRAC, gathered here in Washington, DC and spent a day visiting with Members of Congress to help spread their message of public safety. I personally met with one of my constituents, Mr. Henry Green of Lansing, MI, who serves as president of the Board of Directors. It is my hope that my colleagues here in the House and the Senate will carefully consider the legislative priorities presented to us in these meetings.

I would like to thank these men and women for their service and dedication to ensuring that we all live, work and play in a safe built environment. Along with Mr. Green, these individuals include: Immediate Past President Frank Hodge, Vice President Wally Bailey, Secretary/Treasurer Steven Shapiro, Jimmy Brothers, Terrence Cobb, John Darnall, Gerald Geroge, John LaTorra, Ron Piester, Ed Berkel, Bill Duck, Bill Dupler, Greg Johnson, Barbara Koffron, Ron Lynn, Tim Ryan, Adolf Zubia, GRAC Chairman Ron Nienaber, Becky Baker, Bill Chambless, Ross Montelbano, Betts Nixon, Emory Rodgers, Lynn Underwood and George Wiggins.

Congratulations again to the hardworking and dedicated members of the ICC.

IN RECOGNITION OF JOHN HARRIS FOR BEING NAMED THE 2006 AGRICULTURIST OF THE YEAR BY THE CALIFORNIA STATE FAIR

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. COSTA. Mr. Speaker, I rise today to honor John Harris of Coalinga, CA, the recipient of the 2006 California State Fair Agriculturist of the Year Award.

John has been a lifelong farmer, businessman and Fresno County resident. He graduated from University of California, Davis, where he received a bachelor of science degree in agricultural production in 1965. He served as an officer in the United States Army from 1966 to 1968 and returned to the family's farming operation in 1968.

Becoming a true icon for California agriculture, John Harris strived for excellence since day one at the family farm. Currently, he runs an extremely diversified company growing over a dozen crops, feeding approximately 200,000 cattle a year, which are processed at Harris Ranch and sold throughout the west. In addition to his farming and cattle business, John Harris oversees the well-known Harris Ranch Restaurant and Inn located in the outskirts of the city of Coalinga in west Fresno County. As an avid horse-racing supporter, John also manages a large thoroughbred breeding farm and racing stable. John Harris is committed to bringing acclamation to the California's thoroughbred horse-raising industry. Mr. Harris is certainly a man who exemplifies an extraordinary ability to embark on new endeavors and be very successful at bringing many projects to fruition.

Aside from his businessman talents, John is a strong philanthropic supporter of his community and region as a whole. He is a member of many local community boards and contributes immensely to local groups and organizations with various missions to enhance the quality of life of Valley residents. Some of these include the National Beef Board, the California Beef Council, the California Cattlemen's Association, and the Pacific Legal Foundation. Some of the community organizations he has contributed to include the Fresno Metropolitan Museum and the University of California at Davis, specifically the Veterinary School.

John Harris is a living legacy of what California agriculture should strive to be as an industry in order to coexist with other booming industries and our environment. He works hard to incorporate high technology innovations to his business practices to protect the air and the environment as much as possible. All the trucks used in his feedlot and meat packing plant run on biodiesel and both the feedlot and the meat-packing plant are state-of-the-art model buildings for the industry.

John Harris is a man of integrity, honesty and compassion. He genuinely cares for his community and is willing to share his vast knowledge with others. In addition, he and I share the same passion for the well-being of California's Central Valley. For this and so much more, I am honored to consider John Harris as a friend and certainly commend him for all his accomplishments and extend my most sincere congratulations for receiving this prestigious award from the California State Fair.

TRIBUTE TO THE 75TH ANNIVERSARY OF WALL DRUG

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Ms. HERSETH. Mr. Speaker, I rise today to commemorate a milestone in the history of one of South Dakota's and the nation's most beloved and recognizable roadside landmarks. This fall, the Wall Drug Store will be celebrating its 75th year of continuous operation near Badlands National Park in Wall, South Dakota. Each year, hundreds of thousands of weary road travelers simply follow the billboards to enjoy a refreshing glass of ice cold water and experience a bit of small-town South Dakota.

Dorothy and Ted Hustead began their version of the American Dream when they moved to tiny Wall, South Dakota and purchased a drug store in 1931. The Husteads set out on their own in search of a small town with a Catholic church that needed a pharmacist and found it among the 362 residents of Wall. At a time when much of the plains were devastated by drought and the depression, running a small business was a difficult enterprise. In 1936, Dorothy Hustead came up with the idea to put up signs along the road offering free ice water to travelers on the hot, dusty prairie. Well, the signs did the trick, and more and more travelers came by the store. So they put up more signs on the highway, and from that point on business was booming. Before long, the Husteads were serving upwards of 20,000 cups of ice water per day and they had signs and billboards for hundreds of miles in every direction. Today, Wall Drug signs appear all over the world, places such as London, Moscow, and even the South Pole.

Seventy-five years after Wall Drug began, not much has changed. Wall is still a small town with a population of 818. Wall Drug is still run by a man named Ted Hustead although he is the founder's grandson, and there is still a working pharmacist on site. However, Wall Drug now occupies 76,000 square feet and is one of the leading tourist attractions in South Dakota. The store has become a leading retailer of authentic western art and memorabilia, from cowboy boots to original oil paintings to ''genuine'' stuffed jackalopes. As such, it is a major part of the economy of western South Dakota, contributing tax revenue to the town and acting as one of Wall's major employers. In fact, in the summer, Wall Drug provides 230 jobs in this town of 818 people.

I want to congratulate the Husteads and the community of Wall on the 75th anniversary of Wall Drug. Wall Drug is an important part of our state's history, and I wish them the best on their next 75 years of success.

Mr. Speaker, the next time you or any of my other colleagues find yourself in western South Dakota, on your way to visit Mount Rushmore or the Black Hills, I encourage you to stop by Wall Drug to enjoy a refreshing cup of ice water and take in a little bit of western culture. I assure you it won't be hard to find; just follow the signs.

INTRODUCTION OF THE FEDERAL EMPLOYEE COMBAT ZONE TAX PARITY ACT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. WOLF. Mr. Speaker, today I am introducing the Federal Employee Combat Zone Tax Parity Act, which would provide parity by extending the tax credit currently received by military personnel to the civilian Federal employees working along side them.

Just the other day I received an e-mail from a constituent who is currently stationed in Afghanistan. She said: "I am completing a one year tour with the U.S. Army Corps of Engineers in Kabul, Afghanistan. I work with the U.S. military and I live in the same residences with the U.S. military. During the riots on Memorial Day, I listened to the same gunfire as the U.S. military and I wore the same 30 pounds of Individual Body Armor and the Kevlar Helmet as the U.S. military."

It is only equitable that both military and civilian employees who are serving side by side receive the same tax treatment. In fact, even contract employees can get a tax break through the foreign earned investment tax credit, but Federal employees are specifically exempted from that tax credit.

As a former Federal employee, I am keenly aware of the invaluable contributions Federal employees make to our country. I believe we must ensure that our Federal workforce is treated with fairness and respect.

The Pentagon stated in the proposed regulations for the new National Security Personnel System that "NSPS is essential to the department's efforts to create an environment in which the total force, uniformed personnel and civilians, think and operates as one cohesive unit." What kind of message does it send to civilian employees if they receive disparate tax status from their military colleagues?

Just as military personnel, Federal employees serving in combat zones must leave their families behind and this can increase the financial burdens on families. Families with two working parents suddenly have only one parent able to care for the needs of the family. Military personnel in combat zones were given a tax credit back in 1913 to help alleviate their tax burden, but Federal employees were left out.

Since 9/11 it has become ever more vital to have a thriving civil service participating in our efforts to fight the war on terrorism. Now more than ever in our nation's history we must take action that reflects the contributions both our civilian and military employees are making—in the war on terrorism and as well as the daily operations of the Federal Government in providing the services upon which every American relies.

Federal employees are on the front lines of the war against terror.

The first American to die in Afghanistan was a CIA agent from my district.

Federal employees are in Iraq helping the Iraqi people to build a free nation.

Throughout the world, America's civil servants are serving our government and our people, often in dangerous locations.

How can we tell them we will not give them a fair and equitable tax credit that recognizes their hard work, dedication, and sacrifice?

We are asking Federal employees to take on more and more responsibility every day. They are on the ground in the war on terrorism taking over new roles to relieve military personnel of tasks civilian employees can perform. They are all playing a vital role in keeping us safe and deserve to be treated with respect and fairness.

We have a long tradition in the Congress of recognizing the valuable contributions of our federal employees in both the military service and in the civil service by providing fair and equitable treatment. This is not the time to shirk our duty to the civil service.

I urge my colleagues to join me in support of the Federal Employee Combat Zone Tax Parity Act.

TRIBUTE TO FRANK ROMERO

HON. JOHN T. SALAZAR

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. SALAZAR. Mr. Speaker, I rise today to pay tribute to an upstanding member of my community. Frank Romero passed away on Monday, July 24, 2006. He was 77.

Frank was a good man whom I knew well. He was a man committed to his family, his community and the Lord.

Frank spent 20 years as the treasurer for Conejos County. In that time, he produced some of the best audit reports the county had ever seen.

Frank was a tireless advocate for agriculture in the San Luis Valley. A farmer and rancher himself, Frank was connected to the land and knew the value of a hard day's work.

In our community, Frank was a servant in the true sense of the word through his work in the Knights of Columbus and other organizations.

Frank will be remembered as a loving family man, a devoted public servant and a genuinely good man. He enjoyed fishing, hunting, dancing, welding, traveling, reading, working on his ranch, snowmobiling and all outdoor activities with his family.

My heart goes out to Frank's family including his wife Philomena and his many children and grandchildren. I would like to express my personal gratitude for Frank's friendship.

TRIBUTE TO GREATER PHILADELPHIA HEALTH ACTION, INC.

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to pay tribute to Greater Philadelphia Health Action, Inc. (GPHA) as it joins community health centers nationwide in celebrating "National Health Center Week," August 6–12.

National Health Center Week highlights the importance of community health centers as a vital part of health care systems in medically underserved areas. "Celebrating Patient Voice and Community Choice," is the theme of this year's campaign. The theme emphasizes the vital role that community boards of directors provide related to the delivery of health care to the community and determining the range of affordable services provided by the centers.

GPHA was founded in 1970 by the late Carl Moore, a long-time community activist who came together with other community leaders to form GPHA, one of the first medical managed care programs in Philadelphia. It is a community-based, grass roots effort whose mission is to provide quality comprehensive primary health care, health education, human services and child development services to families and individuals throughout the Delaware Valley, regardless of a patient's ability to pay.

The celebration of National Health Care Week also affords the opportunity to highlight the contributions of Mr. Moore and GPHA CEO Ron Heigler, recently elected chair of the Pennsylvania Primary Health Care Forum and his committed staff. All are to be congratulated for continuing to carry on Mr. Moore's vision of providing quality health care to the underserved.

Today GPHA operates six full-service health centers and a behavioral health program, as well as the Woodland Academy Child Development Center in Southwest Philadelphia. The centers also offer specialized treatment and patient education related to asthma, hypertension, heart disease, diabetes and HIV/AIDS.

There is no doubt that GPHA and the nation's community health centers fill a major void in our Nation's health care safety net.

TRIBUTE TO CHIEF PATROL AGENT SIMON GARZA, JR.

HON. HENRY BONILLA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. BONILLA. Mr. Speaker, I rise today to honor a great American soon scheduled to end his lifelong career of service to our Nation—U.S. Customs and Border Protection Border Patrol Marfa Sector Chief Patrol Agent Simon Garza, Jr.

Born in Laredo, Texas, Chief Garza has spent his entire career fighting to secure our borders and ensure our freedoms. Chief Garza began his career, after studying engineering at the University of Houston, by serving in the United States Army, including service in the Republic of Vietnam in 1969 and 1970. In 1975 he joined the United States Border Patrol as a member of the 10th Session at Port Isabel, Texas. After graduation from the Border Patrol Academy, he received his first assignment in his home State in the Del Rio Sector. After much hard work and determination, Chief Garza was promoted in 1985 to Supervisory Border Patrol Agent. By 1990 he was again promoted to Patrol Agent in Charge, and by 1994 he was part of the senior staff at the Del Rio Sector Headquarters, serving as Assistant Chief Patrol Agent.

One year later Chief Garza's leadership role dramatically expanded when he was named Deputy Chief of the United States Border Patrol in Washington, D.C. There he represented the Border Patrol across the world, including in the Middle East, where he shared his valuable insight and experience with foreign leaders and governments.

After serving in Washington, DC, Chief Garza returned back to the field to lead the Marfa Sector as Chief Patrol Agent. During his tenure as Chief Patrol Agent, Chief Garza has modernized his sector to respond to the growing threats to our national security by utilizing mission-oriented technology and transitioning the Sector Intelligence Unit to a pro-active organization. Day in and day out, Chief Garza and his well-trained staff put their lives on the line to tirelessly work to protect our country.

I am proud to commend my good friend—and a hero to our Nation—Chief Simon Garza, Jr., for his distinguished and honorable career. His straightforward and unwavering leadership will be greatly missed. Congratulations on a job well done, Chief.

INTRODUCTION OF THE STEVENS-INOUYE INTERNATIONAL FISHERIES MONITORING AND COMPLIANCE LEGACY ACT

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. POMBO. Mr. Speaker, today, my colleagues, NEIL ABERCROMBIE, DON YOUNG, JIM SAXTON and I are introducing the Stevens-Inouye International Fisheries Monitoring and Compliance Legacy Act. This legislation will amend the Magnuson-Stevens Fishery Conservation and Management Act—the Nation's premier fishery conservation statute—and Title IV of the High Seas Driftnet Fishing Moratorium Protection Act to promote additional measures to reduce Illegal, Unreported and Unregulated fishing activities. In addition, the bill will implement two international fisheries treaties—the Western and Central Pacific Fisheries Convention and the Agreement between the Governments of the United States and Canada on Pacific Hake/Whiting.

This legislation continues to build on the United States' tradition of implementing fishery conservation and management measures domestically and internationally. The United States has been a leader at many international fora to move forward policies that require countries to enforce conservation measures on their flag vessels.

Some international fisheries commissions have been more successful than others in passing resolutions recommending the implementation of conservation measures for fish species in international waters and tying to these measures adequate enforcement provisions. Title I of the Stevens-Inouye International Fisheries Monitoring and Compliance Legacy Act requires the Secretary of Commerce to work toward getting all international fisheries commissions to adopt effective enforcement provisions for species of fish under their jurisdiction.

The effective enforcement of conservation measures for vessels fishing in international waters will help reduce and work toward eliminating the illegal, unreported and unregulated fishing activities occurring in many high seas areas. This legislation would require the Secretary to work with international fishery commissions to adopt market-based incentives, use vessel monitoring systems, and create international vessel registries as ways to eliminate unregulated fishing activities.

Title II and III of this legislation would implement the Western and Central Pacific Fisheries Convention and the Agreement between the Governments of the United States and Canada on Pacific Hake/Whiting, respectively. These two titles will allow for U.S. participation in these important international fishery commissions. As in Title I of this legislation, U.S. participation at these international commissions is critical to moving forward U.S. policies to further conserve Pacific Highly Migratory Species and Pacific Whiting and the adoption of effective enforcement measures.

The Senate Commerce Committee, led by Co-Chairmen STEVENS and INOUYE, have been leaders on this issue and have passed similar legislation through the Senate and the short title of the bill recognizes their leadership in this area.

This is an important piece of legislation and I look forward to working with my House Colleagues and my Senate Colleagues to pass this bill to the President before the end of the year.

CELEBRATING THE 75TH ANNIVERSARY OF THE IRVING G. BERGMAN AMERICAN LEGION POST IN BANNING, CALIFORNIA

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. LEWIS of California. Mr. Speaker, the American Legion is one of the most respected institutions in our Nation, honoring our veterans and providing service to local communities. This is especially true of the Irving G. Bergman Post 428 in Banning, California, which is celebrating its 75th anniversary in August.

Post 428 was chartered as the San Gorgonio Pass Post of the American Legion in August 1931, to serve the veterans living in the Riverside County cities of Banning, Beaumont, Cabazon, Cherry Valley and Calimesa. Over the years, the Post has also become a community resource in the rapidly growing area.

More than 200 veterans from World War II, Korea, Vietnam and the Persian Gulf are active members of the Post, which refurbished a building in downtown Banning for its headquarters. My colleagues will be pleased to know that a flag flown over our Capitol waves over the Post each day.

Members of the Post provide service to disabled veterans at the Jerry L. Pettis Memorial VA Medical Center in nearby Loma Linda. The Post is a frequent host for ceremonies on Veterans Day, Memorial Day and other observances. Members have sponsored widely recognized salutes, including a Salute to Blue Star Families and a communitywide Welcome Home to Troops which drew hundreds of area residents to honor California National Guard members returning from fighting the War on Terrorism. The Post also helped completely refurbish the local Armory.

Post 428 is especially active in the community, with members visiting schools to talk about patriotism and what it means to be a veteran, presenting small flags to students and large flags to be flown at the schools. Members have also participated in safety fairs and local parades.

I am particularly grateful to the past commander of Post 428, Rees Lloyd, who has been a strong advocate for protection of the Mojave Cross Veteran's Memorial in the Mojave National Preserve in the desert area of my congressional district. Although it is in a remote location and has a clear history as a veterans memorial, the cross has been challenged by the American Civil Liberties Union, which sued the National Park Service to remove it. Through the efforts of Mr. Lloyd, who is now commander of all Riverside County Posts, the American Legion has taken a strong stand in support of maintaining the cross. With their support, I am hopeful we will prevail in keeping this memorial to our veterans.

Mr. Speaker, the American Legion motto is "Still Serving God and Country," and I believe that is especially true of Post 428. Please join me in thanking them for their public service, and congratulating them on their 75th anniversary.

UNITED STATES AND INDIA NUCLEAR COOPERATION PROMOTION ACT OF 2006

SPEECH OF

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5682) to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India:

Mr. McDERMOTT. Mr. Chairman, as a long time supporter of India and one of the cofounders of the India Caucus I have watched with gratification over the past decade as India and the United States have emerged as strategic partners. I believe the world's oldest and largest democracies have a lot to learn from and share with one another.

I am concerned, however, that the Bush administration seems to have focused all of the energy in this bilateral relationship on the recent proposal to commence nuclear cooperation. I understand India's growing energy demands and shortages (a crisis which we in the United States also face) and I believe that our two countries should cooperate and share technologies to promote energy independence. That is why, despite serious reservations about the proposed U.S.-India nuclear cooperation agreement and the Bush administration's ability to properly implement it, I cosponsored H.R. 5682. I believe it is important that we continue to engage India on this important issue, and I supported this legislation to move this process along.

But I have serious concerns with the agreement as it stands. India has not signed the Nuclear Non-Proliferation Treaty (NPT), and

this type of arrangement with a nonsignatory to the treaty is unprecedented. Exporting American nuclear fuel to India has the potential to supplant the domestic uranium India is currently using to generate civilian nuclear power, freeing up this uranium for military purposes. I worry about the message this arrangement would send to the region and the world, and I do not believe further production of nuclear weapons is in India's or the South Asian region's best interests.

Nuclear weapons remain the most dangerous threat to mankind, and I worry about a mistake in Mumbai or Islamabad. The idea that these weapons can be used tactically or surgically is nonsense; we should be working to scale down nuclear weapon production in the region, not escalate it.

I do not believe this agreement is unworkable, but I do feel that there is one very important thing that India needs to do to move this forward: end its production of fissile material. This would show the U.S. and the world that this agreement is truly going to address India's domestic energy needs and not going to enhance its nuclear arsenal. To this end, I voted in support of the Berman/Tauscher amendment, which would withhold exports of nuclear reactor fuel to India until India stops producing fissile material for nuclear weapons.

However, the Berman/Tauscher amendment failed. In the absence of an Indian commitment to end fissile material production, I cannot support moving forward at this time with this agreement. I hope that those of us who do not support an agreement in the absence of such a commitment do not send the wrong message to our Indian friends. We will continue to support India and there are many areas in which our two countries can continue to engage, including trade, space exploration, anti-terrorism, and other defense cooperation. But I cannot in good conscience support an agreement that, even indirectly, increases India's nuclear weapons arsenal. I don't believe that serves India, the U.S., or the South Asian region well.

KOREAN WAR ARMISTICE DAY

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, July 27 marks a historic day.

On this date in 1953, the United States signed an armistice with China and North Korea. This agreement ended the hostilities of the Korean War. Unfortunately, most Americans forget this date.

Sandwiched between the second World War and Vietnam, the Korean War can easily be overshadowed. This is a tragedy. Thousands of American soldiers gave their lives in defense of freedom halfway around the world.

As Members of Congress, we have an obligation to ensure that their memory does not fade into obscurity.

On this day, I ask that all Americans take a moment to remember the enormous sacrifices made by our soldiers during the Korean War.

I also want to extend my heartfelt thanks to our nation's Korean War veterans.

RESOLUTION HONORING PURPLE HEART DAY IN SAN ANTONIO, TEXAS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. CUELLAR. Mr. Speaker,

Whereas, on August 7, 1782 in Newburgh, New York, General George Washington began the time-honored tradition of awarding the valor of our soldiers with his creation of a badge of distinction, known as a Purple Heart, to be given to enlisted men and noncommissioned officers.

Whereas, on January 7, 1931, a new design of the Purple Heart was created by Ms. Elizabeth Will, an army heraldic specialist in the Office of the Quarter. The design consisted of a purple enameled heart within a bronze quarter inch border showing a profile of President George Washington.

Whereas, on this day, we celebrate Purple Heart Day on the anniversary of its creation on August 7, 1782, as a part of our patriotic duty to remember and recognize our soldiers willing to serve our country.

Be it hereby resolved, that Congressman HENRY CUELLAR commends the City of San Antonio for recognizing the importance of Purple Heart Day and for honoring our veterans on this day.

PERSONAL EXPLANATION

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. MURPHY. Mr. Speaker, on rollcall No. 407, the Stearns of Florida Amendment to H.R. 5682, the United States and India Nuclear Cooperation Promotion Act of 2006. Had I been present, I would have voted ''aye''.

A TRIBUTE TO SRI CHINMOY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. ACKERMAN. Mr. Speaker, I consider it an honor and a distinct privilege today to rise and offer birthday congratulations to a man many in this country and the world have come to respect and admire, Sri Chinmoy, who on August 27, will be celebrating his 75th birthday in New York City. He is a selfless individual who has dedicated himself to nurturing world harmony and to the creative expression of the limitless potential of the human spirit.

Sri Chinmoy's many contributions to American life and culture have been expressed through teaching, athletics, art, music, poetry and literature. He combines the contemplative traditions of his native India with the dynamism of his adopted America to serve humanity through programs such as the World Harmony Run torch relay, The Oneness-Heart Tears and Smiles worldwide humanitarian service, and the Lifting Up the World with a Oneness-Heart awards program. Through these initiatives for world harmony, he has touched countless lives and offered hope to thousands of individuals worldwide.

Mr. Speaker, Sri Chinmoy Kumar Ghose was born on August 27,1931, in India in East Bengal, the present day Bangladesh. On April 13, 1964, he arrived in this country from Southern India, where he had received his education and training in the ancient methods of yoga at the Sri Aurobindo Ashram.

When he came to this country, he founded the Sri Chinmoy Centre, headquartered in Jamaica, Queens. The first Centres were established in 1966 in Puerto Rico and New York, and have since grown to include branches all over the United States and 73 other countries worldwide. The Centres are dedicated to the twin goals of public service and personal spiritual growth through the use of meditation. The students of Sri Chinmoy include individuals from all faiths and walks of life who seek to cultivate harmony and goodwill both in themselves and in their communities. They also compose the community of volunteers who carry out, at the grass-roots level, Sri Chinmoy's vision of loving service through such varied projects as humanitarian aid and the sponsorship of musical concerts and athletic events.

Considered one of the world's foremost authorities on Eastern philosophy, which is a systematic method of expanding consciousness through meditation, prayer and selfless service, Sri Chinmoy has lectured on this topic at many of the major universities in the United States. His first lecture tour began at Yale on December 4, 1968 and included talks at all 8 Ivy League Universities. In the early 1970s he lectured at 20 universities on topics of Indian wisdom and philosophy. In 1974, he spoke at universities in all 50 states.

He continues to lecture here and around the world. In his writings and speeches, he endeavors to share eastern light for the western mind. A prolific writer and poet, Sri Chinmoy has written over 1,550 books of essays, poems and short stories. The largest university library collection of his works is at Harvard Divinity School.

Meditation classes under Sri Chinmoy's guidance are always provided free of charge. He offered his first public meditation at Columbia University on April 23, 1971, and his first meditation in Congress at the Rayburn House Office Building on May 23, 1979, under the sponsorship of my former colleague, the distinguished late New York Congressman Joseph P. Addabbo.

Mr. Speaker, Sri Chinmoy believes that sport is a powerful instrument for promoting global harmony. He has long found that athletics can be an invaluable source of motivation and enrichment for thousands of people, young and old alike. In 1976 he was recognized with a commendation from the President's Council on Physical Fitness for his role in inspiring young Americans to run the 50-State, 9,000-mile ''Liberty Torch'' relay held in honor of the U.S. Bicentennial. He founded the Sri Chinmoy Marathon Team in 1977. In 1982, several of his students organized ''America's Freedom-Ride,'' a 50-State public participation bicycle relay that celebrated the 200th anniversary of the U.S. Constitution.

The lessons of these early 50-State American relays became the foundation for the Sri Chinmoy Marathon Team to organize a global torch relay. Now known as the World Harmony

Run, it was held from April to August on a biennial basis from 1987 to 2001 and resumed as a yearly event in 2005. The World Harmony Run seeks to promote international friendship and understanding. This year, an international team of runners will carry a flaming torch, symbolizing the human aspiration for oneness, through more than 80 countries around the globe together with a 10,500-mile, fifty State U.S.A. route. The event serves to connect thousands of grassroots efforts for world harmony taking place in communities across the globe. It does not seek to raise money or promote any political cause, but rather to create good will among peoples and nations.

The Sri Chinmoy Marathon Team has made a city block in my district world famous. It's where the longest running race in the world takes place around the shortest course—a half-mile certified loop on paved sidewalks adjacent to the Grand Central Parkway. To complete the Self-Transcendence 3,100 Mile Race, participants run 5,648.688 laps around the block, a distance equivalent to more than 118 marathons. The Tenth Annual edition began on June 11 and continues into August with the largest field yet of 15 ultra-distance runners. As in all his endeavors, Sri Chinmoy sets the highest standards of organization, logistics and support to help ultra-marathon runners achieve their greatest potential. We can expect of this race to see new world records and personal bests.

A decathlon and 100-meter sprinting champion in his youth, Sri Chinmoy believes in the necessity of a sound mind and a sound body. He began his own long-distance running career in Golden Gate Park in San Francisco on June 1, 1978. In March 1979, he ran his first marathon in Chico, California, and, later that month, his fastest marathon in 3:55:07 at the Heart-Watchers Marathon in Toledo, Ohio. He has completed 22 marathons and 5 ultra marathons and now, at age 75, still regularly exercises.

Mr. Speaker, Sri Chinmoy first began weightlifting on June 26, 1986, and embarked on a new dimension in his weightlifting career 2 years later when he inaugurated ''Lifting Up the World with a Oneness-Heart.'' This is his way of recognizing individuals from all walks of life who inspire humanity and excel in their respective fields. At these programs, Sri Chinmoy lifts each honoree overhead on a special platform, symbolically reflecting their own uplifting contributions to the world.

Bill Pearl of Oregon, a Five-time Mr. Universe, was the first person lifted in this fashion. Sri Chinmoy has lifted Members of the U.S. Senate and House of Representatives, heads of state, ambassadors, Nobel laureates, university professors, spiritual leaders from all faiths, Olympic athletes, citizens serving their communities, and school children whose dreams are so important to our future. In Hawaii, on December 23, 1990, he lifted Senator Hiram L. Fong, who was Hawaii's first Senator at the time of statehood.

On July 10, 2001, in the Rayburn Gold Room, Sri Chinmoy simultaneously lifted my esteemed New York colleague Benjamin Gilman and me on a two-platform lifting apparatus, one of us with each arm. If I had not experienced it, I could not imagine this to be possible. In a day-long lifting program at Boeing Field Auditorium in Washington State on July 13, 2003, held to celebrate the centenary of the Wright brothers first flight, Sri Chinmoy lifted 123 airplane pilots in appreciation of their dedicated services in carrying humanity into the skies. From 1988 to 2006, Sri Chinmoy has honored more than 8,000 individuals from many countries with this award.

Mr. Speaker, The Oneness-Heart Tears and Smiles is the voluntary humanitarian service program of the Sri Chinmoy Centre. Since 1991, centre members worldwide have collected and shipped tons of humanitarian supplies to countries in need including South Africa, Angola, Mozambique, India, and, after the tsunami, Sri Lanka. It responds to disaster relief requests, health and education needs, and regional development projects. The program obtains and distributes medical, domestic and educational supplies and toys, working closely with other aid agencies, local NGOs, community groups and corporations.

One would think that this busy schedule and numerous interests would be enough for one man, but not so for Sri Chinmoy. An accomplished composer of music for choir and instruments with 13,000 songs composed in his native Bengali and 7,000 in English, Sri Chinmoy has performed his music free of charge at over 750 concerts worldwide since 1984. Last year, to celebrate his 74th birthday, he played his original compositions on 74 different pianos at an outdoor concert in Queens.

Senators Daniel Patrick Moynihan of New York and Claiborne Pell of Rhode Island sponsored an art exhibit of Sri Chinmoy's soul-bird drawings in the Russell Rotunda of the U.S. Senate in 1995.

All told, Sri Chinmoy has written 20,000 songs, taught 300 university lectures, authored 1,550 books, including 112,000 poems, penned 15 million bird drawings, and completed 200,000 ''Jharna-Kala'' paintings (''Fountain of Art'' in his native Bengali).

He has dedicated his life to inspiring and serving all those trying to make the world a better place, whether ordinary citizens or those entrusted with the stewardship of a nation.

Mr. Speaker, on this, the celebration of Sri Chinmoy's upcoming Diamond Jubilee 75th birthday, I ask all my colleagues in the House of Representatives to please join me as I wish Sri Chinmoy success in the years ahead and best wishes for a long and continuingly fruitful life.

INTRODUCTION OF A RESOLUTION CONGRATULATING THE NATIONAL LIBRARY OF MEDICINE ON ITS 50TH ANNIVERSARY

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. VAN HOLLEN. Mr. Speaker, today I am introducing a resolution congratulating the National Library of Medicine on the occasion of its 50th anniversary.

The National Library of Medicine, which is located on the National Institutes of Health campus and is in my Congressional district, was created in 1956 by the National Library of Medicine Act. Before 1956, the National Library of Medicine was known as the Armed Forces Medical Library.

The National Library of Medicine provides invaluable tools for medical librarians such as the Medical Librarian Association, health consumers, and health professionals to support information access and high-quality health care. With its vast collections in all areas of biomedicine and health care, the National Library of Medicine is the world's largest medical library with more than 8 million items.

Through its extramural grant programs, outreach programs, health information technology research programs, and databases such as Medline/PubMed Central and ClinicalTrials.gov, the National Library of Medicine works to provide the highest quality, most relevant, and timely health information for health professionals and health consumers.

Mr. Speaker, I salute the National Library of Medicine on its 50th anniversary and commend it for its leadership in the health sciences information field.

THE ''SWIFT APPROVAL, FULL EVALUATION (SAFE) DRUG ACT''

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. MARKEY. Mr. Speaker, I rise today to introduce the Swift Approval, Full Evaluation (SAFE) Drug Act. This bill is designed to ensure that the FDA can balance the need to get important life-saving drugs to the market quickly while ensuring the drugs get the full evaluation they need to ensure the safety of those products. A strong postmarketing study system allows the FDA to achieve a careful balance between speed of approval and careful scrutiny of the products. However, as both the GAO and the Inspector General of HHS recently reported, the system to ensure that postmarketing studies are conducted and completed is broken and the FDA has not made reform a priority.

Postmarketing studies are important because they prevent death, detrimental reliance and waste. They provide critical information about the risks and benefits of a drug after it has been approved and on the market. They can also provide additional information about optimal use of the product and what groups of people are most likely to benefit (or not benefit) from use. Since the long-term effects of products are not usually studied prior to approval, postmarketing studies provide critical information about the risks or benefits of long-term use. Postmarketing studies allow the FDA to approve drugs for to consumers who need them quickly while ensuring that scientists will continue to investigate the best uses of the drug. These studies are particularly important when, in the interest of speeding drugs to consumers, the drugs are approved under the FDA's accelerated approval process.

In 1992, the Food and Drug Administration, FDA, established a process that amounted to a trade-off between its mission to ensure drug safety and effectiveness and the need to speed promising new drugs to market to increase treatment options for life-threatening illnesses. Called accelerated approval, this process allows FDA to approve a drug on an expedited basis using promising but limited information about its safety and effectiveness, but only on the condition that the company agrees to conduct further studies to confirm

the safety and effectiveness of the product. Under the law, drug companies are required to do additional studies to confirm that the drug is safe, effective and works for its approved indication.

The importance of conducting postmarketing studies to ensure the safety of drugs approved through accelerated approval is illustrated by the example of encainide and flecainide. In the 1980's encainide and flecainide were approved to treat ventricular arrhythmia after myocardial infarcation. Arrhythmias are a risk factor for heart attacks and encainide and flecainide are very good at suppressing arrhythmias. People assumed that because the drugs were good at suppressing arrhythmias, they would also prevent heart attacks. While this treatment was on the market between 250,000 and 500,000 people were prescribed the drug every year to prevent heart attacks. When the postmarketing clinical trial was conducted to confirm that encainide and flecainide did in fact reduce heart attacks, the study found these drugs actually tripled the rate of death. The drugs were withdrawn from the market. If the postmarketing study had never been completed, doctors would have continued to prescribe a drug that they thought was beneficial but was actually killing people.

Postmarketing studies are also important to ensure that drugs approved through accelerated approval actually work. In May 2003, Iressa, which is manufactured by AstraZeneca, was approved under the accelerated approval process for treatment of non-small cell lung cancer in individuals who have failed to respond to two or more courses of chemotherapy. Iressa showed promise in early studies. The FDA approved Iressa, on the condition that AstraZeneca continue research on the drug to confirm the early results. Complying with the FDA's mandate, AstraZeneca conducted a postmarketing study and found that, for most people, Iressa was not effective. The drug was withdrawn from the market. This trial provided critical information to both physicians and patients who are trying to determine the best course of treatment for this horrible disease. If the postmarketing study had never been completed, doctors would have continued to prescribe it and patients would have continued to spend $1,800 a month for a drug that is ineffective for most patients when there are alternative treatments available.

Unfortunately, many companies fail to conduct the postmarketing studies they promised to complete as a condition of approval on a timely basis and the public may go years without knowing whether the drugs approved through accelerated approval are really safe and effective. According to information provided by the FDA to my staff on March 30, 2005, drug companies take a very long time before they even initiate postmarketing studies that are required as a condition of approval as of March 9, 2005; companies with outstanding trials had been selling these products to the public for an average of 1 year and 10 months and up to 6 years and 9 months without even initiating the required studies.

Despite the fact that companies often wait years before starting required postmarketing studies, the FDA has never used the only mechanism it has to enforce compliance with the requirement: withdrawal of the product. According to the HHS IG, "Currently, short of withdrawing a drug from the market—a remedy available to FDA only in limited circumstances—the only short-term, practical options available to FDA in dealing with drug applicants that do not comply with the terms of their commitments are sending letters and placing phone calls. Providing FDA reviewers with additional tools, such as the ability to impose monetary fines, may send a signal to drug applicants that there are consequences when postmarketing study commitments are not fulfilled." The SAFE Drug Act will provide additional enforcement mechanisms.

The system of tracking postmarket safety issues and monitoring and enforcing postmarketing studies is broken and failing to ensure patient safety. The SAFE Drug Act will address these problems by:

(1) Providing the FDA with authority to require postmarketing studies and enforce the prompt completion of those studies;

(2) Providing the FDA with mechanisms to help monitor the progress of postmarketing studies;

(3) Providing the Secretary with the authority to require that the label include specific wording to ensure safe and effective use of a product including special labeling to help consumers identify accelerated approved drugs or biologics until converted to full approval;

(4) Restricting direct to consumer advertising for accelerated approved drugs or biologics until converted to full approval;

(5) Providing FDA employees with enhanced whistleblower protections if they are retaliated against for reporting violations of laws or regulations or a significant threat to public health and safety to Congress, GAO, Federal Agencies, or their bosses; and

(6) Requires reports to Congress on the systems to track postmarketing safety issues and approvals that are based on Non-Inferiority Trials.

According to a recent Wall Street Journal Online/Harris Interactive health-care poll, a majority of the American public is concerned about the FDA's ability to ensure the safety and efficacy of drugs. We need to stop the erosion of public confidence in the FDA, reform the system of postmarketing studies, and ensure that FDA balances the desire to speed drugs to market with its critical role as the watchdog of public health. I urge my colleagues to support the SAFE Drug Act.

TRIBUTE TO RUKERT TERMINALS CORPORATION'S 85TH ANNIVERSARY

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. CARDIN. Mr. Speaker, it is with great honor that I rise today to commemorate the Rukert Terminals Corporation's 85th Anniversary. Located in Baltimore, Maryland, Rukert Terminals Corporation, which specializes in salts, metals, ores, and fertilizers, is one of the city's premier privately owned marine terminal operators.

Since its foundation in 1921 by William G. Norman or "Cap" Rukert, Rukert Terminals has been a hard-working, family owned business that has thrived due to its strong commitment to quality service. Due to the leadership of Norman Rukert and his son, Rukert Terminals has developed over the years from a single truck and stable business to occupying more than one million square feet of storage space. Through the use of the most modern techniques, Rukert Terminals handles the nation's dry and break-bulk cargoes to ensure transfer and storage of the highest caliber. For several decades, the company has continuously provided quality jobs to the citizens of Baltimore.

The city of Baltimore is an excellent place to live, filled with hard-working, dedicated citizens. The Port of Baltimore's economic contributions have been tremendous, generating $2 billion in revenue annually, and employing 19,000 Marylanders in direct jobs, and another 87,000 in indirect and maritime-related occupations. Rukert Terminals is part of the success of this port city, supplying superior warehousing, stevedoring, and vessel transfer services for the region.

I urge my colleagues in the U.S. House of Representatives to join me today in honoring this third generation family business, which for eighty-five years has provided quality marine services to one of America's premier cities while maintaining a standard for excellence that is a model for the rest.

RECOGNITION OF LIEUTENANT COLONEL KEVIN STODDARD OF THE UNITED STATES ARMY

HON. MELISSA L. BEAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Ms. BEAN. Mr. Speaker, I rise today to pay tribute to Lieutenant Colonel Kevin Stoddard of the U.S. Army who is the Program Manager for Crew Served Weapons.

Col. Stoddard has set a standard of excellence for himself and his office, constantly striving to ensure that our troops are issued the best equipment possible during the Global War on Terrorism. Though he has had many great achievements, Col. Stoddard should be recognized for his contributions to the Common Remotely Operated Weapon Station, or CROWS project.

Col. Stoddard has had the individual responsibility for ushering this innovative piece of technology out of development and into the hands of our Soldiers. His steadfast commitment to protecting the force has ensured that today's standard for Humvee convoys in Iraq and Afghanistan is a soldier operating CROWS from behind life saving armor, protected from lethal IEDs and gun fire.

Col. Stoddard used firsthand feedback from Soldiers to lead his program office and partner contractors in ensuring that the CROWS developed today is the technology soldiers want and need. His high standards of leadership and commitment to program excellence brought him to Iraq where he personally observed CROWS in combat to prove his concept and vision. Indeed, Col. Stoddard is personally responsible for saving the lives of many Soldiers currently deployed overseas.

Mr. Speaker, Col. Stoddard and CROWS have truly been a force protection success story for the Army and our soldiers. He embodies the highest tenants of leadership, acquisition reform, and the Army's innovative rapid fielding initiative and is worthy of our commendation today.

TRIBUTE TO REVEREND JAMES A. HARRIS

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate my constituent, the Reverend James A. Harris, on his 80th birthday, which he will celebrate on August 25, 2006.

Reverend Harris has led a life of distinction and accomplishment. After growing up in Des Moines, Iowa, he served as a combat pilot with the famed Tuskegee Airmen during World War II. He went on to receive Bachelor of Fine Arts and Master of Fine Arts degrees at Drake University and later earned post-graduate degrees at Drake Divinity College, Oklahoma A&M University, and American University.

Reverend Harris's numerous accomplishments and contributions to our community include his service as the first African American male President of the National Education Association (1974–75) and as a principal in the D.C. Public School system from 1975–88. He is a lifetime educator and scholar and a lifetime member of Kappa Alpha Psi fraternity. His career as a founder and pastor of Faith Community Baptist Church in Silver Spring, Maryland has enabled him to make a difference in countless lives. Named one of the ''100 Most Influential Black Americans'' by Ebony Magazine in 1975, Reverend Harris has been known for his humility and service to Montgomery County, Maryland for more than 25 years. His leadership has had a tremendous impact on countless individuals throughout our community.

Mr. Speaker, I am pleased to take this opportunity to thank Reverend Harris for his many years of service to our community and to our nation. I extend my heartiest congratulations to him on the occasion of his 80th birthday, and I hope his celebrations this year and in the years to come are filled with the love and happiness of his family and friends.

INTRODUCTION OF SURVEY OF INCOME AND PROGRAM PARTICIPATION LEGISLATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mrs. MALONEY. Mr. Speaker, today I, along with Senator JACK REED (D–RI) in the Senate, introduce legislation that will establish a Commission on the Survey of Income and Program Participation. The President has proposed eliminating the SIPP in his FY 2007 Budget, with a redesigned survey to take its place in 2009. This is careless, as it takes away one of the most valuable sources of data on the economic well-being of American families. The SIPP Commission represents a fair process for changing or eliminating the survey if the need arises. Should someone wish to change the SIPP, a detailed proposal outlining the change, its justification, and the timetable on which it should take place, will be submitted to the SIPP Commission for evaluation. Members of the Commission would include the Director of the Office of Management and Budget, one appointed member from Department of Agriculture, the Department of Labor, the Department of Energy, the Department of Health and Human Services, the Social Security Administration, the Bureau of the Census, and two members from the National Academy of Sciences.

RECOGNIZING THE SERVICE OF THE STAFF OF THE JAMES HALEY VA MEDICAL CENTER'S POLYTRAUMA REHABILITATION CENTER

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. BILIRAKIS. Mr. Speaker, the James Haley VA Medical Center, VAMC, in Tampa, FL, is one of the busiest veterans' medical facilities in the country and provides care to approximately 142,000 veterans in Central Florida. The Tampa VAMC is also home to one of four designated polytrauma rehabilitation centers in the country where the most severely injured service members are treated.

Military service personnel wounded in Iraq and Afghanistan may have serious traumatic brain injuries alone or in combination with amputation, visual impairments, orthopedic injuries, hearing disorders and mental health concerns. The unique nature of these severe multiple injuries has created the need for a blast injury program that can address the medical, psychological, rehabilitation, and prosthetic needs of these individuals.

The Tampa VAMC has been recognized as a Center of Excellence in Rehabilitation and Spinal Cord Medicine. At the Tampa Polytrauma Rehabilitation Center, a team of as many as 10 specialists assess the needs of the catastrophically injured and their families, to determine a comprehensive treatment plan which will help each person reach the highest level of physical, emotional, and social independence in the home, workplace and community. More than 2,500 outpatients and 140 inpatients have been treated at the Tampa Polytrauma Center since the program began.

Throughout my tenure in Congress, I have spent a great deal of time at the James Haley VAMC, which serves many of the veterans who reside in my congressional district. Over the years, I have been impressed by the dedication of the men and women who work at the medical center, providing quality care and services to our Nation's veterans. Dr. Steven Scott, the chief of the Physical Medicine and Rehabilitation Service, and his polytrauma team should certainly be counted among the dedicated staff of the VAMC.

The Veterans' Affairs Oversight and Investigations Subcommittee, which I chair, has visited the Tampa Polytrauma Rehabilitation Center. We had an opportunity to spend time with some of our wounded Operation Iraqi Freedom and Operation Enduring Freedom service members being treated at the Polytrauma Center. We also heard from their family members who repeatedly praised the polytrauma staff for the compassionate and professional care their loved ones were receiving.

One of the things that stood out when we visited the Tampa Polytrauma Rehabilitation Center was the positive outlook of the patients and their families—despite everything they had already been through and the daunting road of rehabilitation that still lay ahead of them. In part, I think they were able to maintain this positive attitude because of the tremendous dedication and caring work of the Polytrauma Center staff.

Dr. Scott and his staff have also been vocal advocates for their patients, raising issues to my subcommittee's attention which have improved the quality of care and services provided to polytrauma patients.

On August 5, 2006, Dr. Scott and his staff are being recognized for their service to our Nation's wounded service members and veterans. I want to take this opportunity to extend my sincere appreciation to each of them and commend them for the tremendous service they provide to our wounded military personnel and veterans.

Members of the James Haley polytrauma team: Forest Farley, Jr., hospital director; Dr. Steven Scott, D.O., chief, Polytrauma Center; Dr. John Merritt, M.D., chief, Spinal Cord Injury; Dr. Joel Scholten, M.D.; Dr. Cecille Pope, M.D.; Dr. Gail Latlief, D.O.; Dr. Faiza Humayun, M.D.; Dr. Rebecca Kayo, Ph.D.; MAJ Steve Moten, U.S. Army, DoD Liaison; SGM Vincent Conti, U.S. Army, DoD Liaison; Carolyn Clark, public affairs officer; Barbara Darkangelo, P.T.; Judith Pink-Goldin, O.T.; Marti Veneman, R.N. and nurse manager; Nancy Kronawetter, R.N.; Diana Cronin, R.N.; Karen Meigs, R.N.; Lea Rashka, R.N.; Joann Estep, L.P.N.; Barbara Collas, L.P.N.; Patrice Thompson, L.P.N.; Annies Joy, L.P.N.; Paula O'Keefe, R.N.; Bernice Willis, R.N.; Chaplain David LeFavor; Ivan Colon, R.N.; Frank Bormet, R.N.; Debra Banks, R.N.; Elizabeth Butron, R.N.; Pamela Keckler, L.P.N.; Ryan Baker, L.P.N.; Earl Gray, N.A.; Tracey Vaness, V.R.T.; James MacAulay, V.R.T.; Laura Manore, A.A.; Deborah Studer, S.W.; Margaret Veneman, N.M.; Douglas Gephart, P.M.R. coord.; Leslie Rothman, recreational therapy; Linda Picon, S.L.P.; Laurel Adams, O.T.; Juan Jose Villeda, P.T.; Steve Klemz, S.W.; Felicia Santos, S.W.; Jeanetta Sheppard, S.W.; Diana Phillpotts, S.W.; June Demaree, S.W.; Abby Wolf, recreational therapy; Laureen Doloresco, assistant chief, nursing; Sandra Janzen, ACOS nursing service.

INTRODUCTION OF THE PREPAREDNESS FIRST ACT

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Ms. SANCHEZ of California. Mr. Speaker, America needs to be prepared. Whether for a commuter train attack, as we saw recently in India, or a hurricane, like we are still rebuilding from in New Orleans, it is clear America must get serious about all-hazards preparedness, that is preparing for all emergencies—be they natural or man-made.

Yesterday I introduced the Preparedness First Act to authorize critical grant programs that our State and local governments already depend on for all-hazards emergency preparation.

The premise of H.R. 5910 is to ensure that States and localities will have a basic level of

preparedness, so they can protect their citizens, communicate with each other, and work with the Federal Government during any type of emergency, from earthquakes to hurricanes to terrorist attacks.

The legislation starts by authorizing the Emergency Management Performance Grants Program, EMPG. The EMPG program provides broad base grants to ensure that States and localities have adequate, coordinated and up-to-date plans to respond to all-hazards emergencies.

In my bill, eligibility for all project grants is linked to their inclusion in these emergency plans. This will help ensure that projects will be vetted, remain a priority, and fit in with an overall plan of preparedness.

Next, the bill authorizes the State Homeland Security Grant Program, SHSGP, which awards block grants to States based on the risk of natural and man-made disasters. These grant funds buy the materials and supplies States need according to their emergency plans.

The bill also authorizes the Metropolitan Medical Response System, MMRS, to give regions the tools they need to respond to major medical emergencies caused by either natural disasters or a terrorist attack.

Finally, we authorize the Urban Area Security Initiative, UASI, to give the added resources which are specifically needed for larger cities to respond to terrorism. Approval of UASI grants, like all of the grants in H.R. 5910, is tied to the inclusion of projects in State and local emergency plans.

Under my bill, all States would receive a base of preparedness funding. This would guarantee the Federal Government an able partner in every State to coordinate preparedness activities. Additional resources would then be made available to address the unique risk of natural and man-made disasters that are posed to each area.

This Federal and regional coordination is exactly what emergency managers have been calling for. I urge my colleagues to support H.R. 5910 and put all-hazard preparedness first for all Americans.

HONORING MR. JAMES J. PADILLA ON THE OCCASION OF HIS RETIREMENT FROM FORD MOTOR COMPANY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to my dear friend, Mr. James J. Padilla, as he retires from a rewarding career with Ford Motor Company, where he served as President and Chief Operating Officer.

Born in Detroit, Mr. Padilla earned his bachelor's and master's degrees in chemical engineering, as well as a master's degree in economics all from the University of Detroit. Mr. Padilla started his career with Ford Motor Company in 1966 as a quality control engineer. Ten years later, he accepted the first of what would be many managerial positions he would hold during the balance of his tenure with Ford.

On his way to becoming the President and Chief Operating Officer of Ford Motor Company, Mr. Padilla served as Manufacturing Operations Manager for several of Ford's most successful lines of cars. He is also largely to thank for the dramatic turnaround of the Jaguar line, for which he served as Director of Engineering and Manufacturing.

As Ford's Executive Vice President of the America's, Mr. Padilla spearheaded Ford Motor Company's North American recovery, vastly improving the quality and innovation of this division's products.

In 2004, Mr. Padilla became the President and Chief Operating Officer of Ford Motor Company and took his seat on the Company's Board of Directors. In his final post with Ford, Mr. Padilla was responsible for the global automotive business, overseeing marketing, manufacturing, engineering and other operations in more than 200 markets with over 327,000 employees.

Over the course of Mr. Padilla's illustrious career, he has received numerous honors including Mexico's Ohtli Award, the Society of Plastics Engineers 2004 Executive Leadership Award, and the Society of Automotive Engineers' Manufacturing Leadership Award. Mr. Padilla is also a member of the Hispanic Engineer National Achievement Awards Conference Hall of Fame. In 2003, Mr. Padilla was honored by the Gabriel Richards Historical Society for his outstanding vision and leadership toward the revitalization of Detroit and the surrounding communities.

As James J. Padilla enters his retirement years, I wish him and his wife, Alice, the best and I sincerely hope that he can enjoy a relaxing and rewarding future. I thank him for everything he has done for Ford Motor Company and the State of Michigan.

Mr. Speaker, I would like you to join me and all of my colleagues in honoring James J. Padilla for his leadership, dedication, and drive over the course of his 40 years of loyal service with Ford Motor Company.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8329–S8402

Measures Introduced: Sixteen bills and three resolutions were introduced, as follows: S. 3745–3760, and S. Res. 541–543. **Page S8377**

Measures Reported:

S. 2562, to increase, effective as of December 1, 2006, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans. (S. Rept. No. 109–296)

S. 2694, to amend title 38, United States Code, to remove certain limitation on attorney representation of claimants for veterans benefits in administrative proceedings before the Department of Veterans Affairs, with an amendment in the nature of a substitute. (S. Rept. No. 109–297) **Page S8377**

Measures Passed:

Spelman College Anniversary: Senate agreed to S. Res. 541, congratulating Spelman College on its 125th anniversary. **Pages S8395–97**

Permitting Photographs in Senate Daily Press Gallery: Senate agreed to S. Res. 543, temporarily suspending the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery. **Page S8397**

Romania Adoption Ban: Senate agreed to S. Res. 359, concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania. **Page S8397**

Gulf of Mexico Energy Security Act: Senate began consideration of S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, after agreeing to the motion to proceed to its consideration, and taking action on the following amendments proposed thereto: **Pages S8329–64**

Pending:

Frist Amendment No. 4713, to establish an effective date. **Page S8334**

Frist Amendment No. 4714 (to Amendment No. 4713), to amend the effective date. **Page S8334**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Monday, July 31, 2006. **Page S8334**

Treaty Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification was agreed to:

Mutual Legal Assistance Treaty with Germany (Treaty Doc. 108–27). **Pages S8397–98**

Nominations Received: Senate received the following nominations:

Deborah Jean Johnson Rhodes, of Alabama, to be United States Attorney for the Southern District of Alabama for the term of four years.

Rodger A. Heaton, of Illinois, to be United States Attorney for the Central District of Illinois for the term of four years.

1 Army nomination in the rank of general.

Routine lists in the Army, Marine Corps, Navy, Public Health Service. **Pages S8400–02**

Messages From the House: **Page S8375**

Measures Referred: **Pages S8375–76**

Measures Placed on Calendar: **Page S8376**

Executive Communications: **Pages S8376–77**

Executive Reports of Committees: **Page S8377**

Additional Cosponsors: **Pages S8377–78**

Statements on Introduced Bills/Resolutions: **Pages S8378–82**

Additional Statements: **Page S8375**

Amendments Submitted: **Pages S8382–93**

Authorities for Committees to Meet: **Pages S8393–95**

Privileges of the Floor: Page S8395

Recess: Senate convened at 9:30 a.m., and recessed at 7:26 p.m., until 10 a.m., on Friday, July 28, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8398.)

Committee Meetings

(Committees not listed did not meet)

TECHNICAL SERVICE PROVIDERS

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded an oversight hearing to examine the Department of Agriculture's use of technical service providers, to provide assistance to carry out conservation programs under Title II of the 2002 Farm Bill, after receiving testimony from Sara Braasch, Regional Assistant Chief, Natural Resources Conservation Service, Department of Agriculture; David Goad, Arkansas Game and Fish Commission, Little Rock; James D. Chapin, Shasta Land Management Consultants, Redding, California, on behalf of the Association of Consulting Foresters of America; Gene Schmidt, Hanna, Indiana, on behalf of the National Association of Conservation Districts; and Doug Wolf, Lancaster, Wisconsin, on behalf of the National Pork Producers Council.

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Lieutenant General James T. Conway, USMC, for appointment to the grade of general and to be Commandant of the Marine Corps, after the nominee, who was introduced by Senator Talent, testified and answered questions in his own behalf.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Nathaniel F. Wienecke, of New York, to be an Assistant Secretary of Commerce, Jay M. Cohen, of New York, to be Under Secretary of Homeland Security for Science and Technology, who was introduced by Senators Domenici and Reed, Sean T. Connaughton, of Virginia, to be Administrator of the Maritime Administration, and Charles D. Nottingham, of Virginia, to be a Member of the Surface Transportation Board, both of the Department of Transportation, both introduced by Senators Warner and Allen and Representative Tom Davis, and Robert L. Sumwalt III, of South Carolina, to be a Member of the National Transportation Safety Board, who was introduced by Senator DeMint, after the nominees testified and answered questions in their own behalf.

WATER BILLS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 3638, to encourage the Secretary of the Interior to participate in projects to plan, design, and construct water supply projects and to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to encourage the design, planning, and construction of projects to treat impaired surface water, reclaim and reuse impaired groundwater, and provide brine disposal in the State of California, S. 3639, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to provide standards and procedures for the review of water reclamation and reuse projects, H.R. 177, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, H.R. 2341, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas, and H.R. 3418, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Central Texas Water Recycling and Reuse Project, after receiving testimony from Representative Dreier; Larry Todd, Deputy Commissioner, Bureau of Reclamation, Department of the Interior; P. Joseph Grindstaff, CALFED Bay-Delta Program, Sacramento, California; Chris Lippe, City of Austin Water Utility, Austin, Texas; Richard Atwater, Inland Empire Utilities Agency, Alexandria, Virginia, on behalf of the WateReuse Association; and J. Tom Ray, Central Texas Water Recycling Project, Waco.

STAFFORD ACT

Committee on Environment and Public Works: Committee concluded a hearing to examine a path forward for the nation's emergency preparedness and response system relating to the Stafford Act, after receiving testimony from Robert F. Shea, Acting Director of Operations, Federal Emergency Management Agency, and Corey Gruber, Acting Executive Director, National Preparedness Task Force, both of

the Department of Homeland Security; Major General Don T. Riley, Director of Civil Works, United States Army Corps of Engineers; Deborah Y. Dietrich, Director, Office of Emergency Management, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Pamela Mayer Pogue, Rhode Island Floodplain Manager, Providence, on behalf of the Association of State Floodplain Managers, Inc.; Armond Mascelli, American Red Cross, Washington, D.C.; and Tamara S. Little, Ohio State Emergency Management Agency, Columbus, on behalf of the National Emergency Management Association.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of John Robert Bolton, of Maryland, to be the U.S. Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Representative in the Security Council of the United Nations, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative to the United Nations, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Richard W. Graber, of Wisconsin, to be Ambassador to the Czech Republic, who was introduced by Representatives Paul Ryan and James Sensenbrenner, and Karen B. Stewart, of Florida, to be Ambassador to the Republic of Belarus, after the nominees testified and answered questions in their own behalf.

NATIONAL UNIFORMITY FOR FOOD ACT

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine S. 3128, to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, after receiving testimony from Senators Chambliss, Boxer and Feinstein; William Stadtlander, Homestat Farm, Dublin, Ohio; Peter Barton Hutt, Covington and Burling, Washington, D.C.; Elsa Murano, Texas A&M University, College Station, former Under Secretary of Agriculture for Food Safety; and William K. Hubbard, Chapel Hill, North Carolina, former Associate Commissioner for Policy, Food and Drug Administration.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 2590, to require full disclosure of all entities and organizations receiving Federal funds, with an amendment in the nature of a substitute;

S. 3721, to amend the Homeland Security Act of 2002 to establish the United States Emergency Management Authority, with an amendment in the nature of a substitute;

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, with an amendment;

H.R. 3858, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency;

S. 3613, to designate the facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, as the "Major George Quamo Post Office Building";

H.R. 4246, to designate the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the "Dr. Robert E. Price Post Office Building";

H.R. 4962, to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the "Captain George A. Wood Post Office Building";

H.R. 5104, to designate the facility of the United States Postal Service located at 1750 16th Street South in St. Petersburg, Florida, as the "Morris W. Milton Post Office";

H.R. 5169, 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";

H.R. 5540, to designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmitt, Texas, as the "Sergeant Jacob Dan Dones Post Office";

S. 2555, to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the "Lane Evans Post Office Building";

S. 2719 and H.R. 5107, bills to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the "Earl D. Hutto Post Office Building";

H.R. 4646, to designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the ''Coach John Wooden Post Office Building'';

H.R. 4811, to designate the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the ''John Paul Hammerschmidt Post Office Building''; and

The nominations of Paul A. Denett, of Virginia, to be Administrator for Federal Procurement Policy, Anna Blackburne-Rigsby, to be Associate Judge of the District of Columbia Court of Appeals, Phyllis D. Thompson, to be Associate Judge of the District of Columbia Court of Appeals, Jennifer M. Anderson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia, and Mickey D. Barnett, of New Mexico, Katherine C. Tobin, of New York, and Ellen C. Williams, of Kentucky, each to be a Governor of the United States Postal Service.

HEALTHY START PROGRAM

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine the Health Resources and Services Administration financial management of its budget in carrying out its mission to increase access to and quality of health care, after receiving testimony from Peter C. Van Dyck, Associate Administrator, Maternal and Child Health Bureau, and Joyce Somsak, Associate Administrator, Healthcare Systems Bureau, both of Health Resources and Services Administration, Department of Health and Human Services.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Kimberly Ann Moore, of Virginia, to be United States Circuit Judge for the Federal Circuit, and Steven G. Bradbury, of Maryland, to be Assistant Attorney General for the Office of Legal Counsel, and R. Alexander Acosta, to be United States Attorney for the Southern District of Florida, both of the Department of Justice.

SMUGGLED NUCLEAR WEAPONS

Committee on the Judiciary: Subcommittee on Terrorism, Technology and Homeland Security Committee concluded a hearing to examine the United States response to the threat of nuclear or radiological terrorism in the United States, focusing on efforts to prevent the acquisition of nuclear weapons and nuclear materials, after receiving testimony from Vayl S. Oxford, Director, Domestic Nuclear Detection Office, Department of Homeland Security; Steven Aoki, Deputy Under Secretary of Energy for Counterterrorism; George P. Nanos, Associate Director, Research and Development Enterprise, Defense Threat Reduction Agency; Michael A. Levi, Council on Foreign Relations, New York, New York; and Fred Ikle, Center for Strategic and International Studies, Washington, D.C.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported an original bill to reauthorize the Small Business Administration.

NOMINATIONS

Committee on Veterans Affairs: Committee concluded a hearing to examine the nominations of Patrick W. Dunne, of New York, to be Assistant Secretary of Veterans Affairs for Policy and Planning, and Thomas E. Harvey, of New York, to be Assistant Secretary of Veterans Affairs for Congressional Affairs, who was introduced by Senator Hutchison, after the nominees testified and answered questions in their own behalf.

NOMINATION

Select Committee on Intelligence: Committee concluded a closed hearing to examine the nomination of Randall M. Fort, of Virginia, to be an Assistant Secretary of State (Intelligence and Research), after the nominee testified and answered questions in his own behalf.

AT-HOME DNA TEST

Special Committee on Aging: Committee concluded a hearing to examine direct-to-consumer genetic DNA tests, focusing on whether these should be considered a marketing scam or a medical breakthrough, focusing on laboratory enrollment and performance standards, after receiving testimony from Thomas Hamilton, Director, Survey and Certification Group, Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, and Steven Gutman, Director, Office of in Vitro Diagnostic Device Evaluation and Safety, Center for Devices and Radiological Health, Food and Drug Administration, both of the Department of Health and Human Services; Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; Kathy Hudson, Johns Hopkins University Genetics and Public Policy Center, Washington, D.C.; Rosalynn Gill-Garrison, Sciona, Boulder, Colorado; Carol R. Reed, Clinical Data, Inc., Newton, Massachusetts; Kristopher King, Suracell, Inc., Montclair, New Jersey; Narasimhan Ramarathnam, Genox Corporation, Baltimore, Maryland; and Howard Coleman, Genelex Corporation, Seattle, Washington.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 39 public bills, H.R. 5915–5953; and 8 resolutions, H. Con. Res. 455, 457–458; and H. Res. 957, 959–962 were introduced. **Pages H6017–18**

Additional Cosponsors: **Pages H6019–20**

Reports Filed: Reports were filed today as follows:

H.R. 5039, to establish a program to revitalize rural multifamily housing assisted under the Housing Act of 1949, with an amendment (H. Rept. 109–604);

H.R. 5347, to reauthorize the HOPE VI program for revitalization of public housing projects (H. Rept. 109–605); and

H. Res. 958, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–606). **Page H6016**

Recess: The House recessed at 11:25 a.m. and reconvened at 12:02 p.m. **Page H5972**

Carl D. Perkins Career and Technical Education Improvement Act of 2005—Conference Report: The House began consideration of the conference report on S. 250, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act. Further consideration is expected to resume tomorrow, Friday, July 28th.

Pages H5960–62 H5973–78

H. Res. 946, the rule providing for consideration of the conference report, was agreed to by voice vote, after ordering the previous question. **Page H5962**

Health Information Technology Promotion Act of 2005: The House passed H.R. 4157, to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology by a recorded vote of 270 ayes to 148 noes, Roll No. 416.

Pages H5962–72, H5978–H6004

Agreed to amend the title so as to read: "To promote a better health information system.".

Page H6004

Rejected the Doggett motion to recommit the bill to the Committees on Energy and Commerce and Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 198 ayes to 222 noes, Roll No. 415, after ordering the previous question without objection. **Pages H6001–03**

Pursuant to the rule, in lieu of the amendments recommended by the Committees on Energy and Commerce and Ways and Means now printed in the bill, the amendment in the nature of a substitute printed in part A of the report, modified by the amendment printed in part B of the report, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read.

Pages H5988–95

Agreed to:

Hinojosa amendment (No. 1 printed in part C of H. Rept. 109–603) to improve the availability of information and resources for individuals with low literacy; **Pages H5995–96**

Jackson of Illinois (No. 3 printed in part C of H. Rept. 109–603) to ensure that emergency contact information or next of kin information is included in any process to modernize medical records;

Pages H5996–97

Cuellar amendment (No. 4 printed in part C of H. Rept. 109–603) to focus a priority of the integrated health system grant program on the improved coordination of care for the uninsured, underinsured, and medically underserved residing in geographically isolated areas or underserved urban areas; **Page H5997**

Price of Georgia amendment (No. 5 printed in part C of H. Rept. 109–603) to require the Secretary of Health and Human Services to submit a report to Congress, which evaluates: the applicability of health care classification methodologies and codes for purposes beyond the coding services for diagnostic documentation or billing purposes; the usefulness, accuracy, and completeness of such methodologies and codes for such purposes; and the capacity of such methodologies and codes to produce erroneous or misleading information, with respect to such purposes; **Pages H5997–98**

McMorris amendment (No. 6 printed in part C of H. Rept. 109–603) to direct the Secretary of Health and Human Services to establish a two year project to demonstrate the impact of health information technology on disease management for chronic disease sufferers within the Medicaid population. There is no authorization of funding and it requests a report at the conclusion of the demonstration; and

Pages H5998–H6000

Towns amendment (No. 2 printed in part C of H. Rept. 109–603) to create a study that provides benchmarks for best practices and cost effectiveness for the use of Health Information Technology in medically underserved areas (by a recorded vote of 417 ayes with 1 voting "noe", Roll No. 414).

Pages H5996, H6000–01

H. Res. 952, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 ayes to 188 noes, Roll No. 413, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 193 nays, Roll No. 412. **Pages H5972–73**

Pension Security and Transparency Act of 2005—Motion to Instruct Conferees: The House agreed to the George Miller of California motion to instruct conferees on H.R. 2830, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, which was debated on Tuesday, July 25th, by a yea-and-nay vote of 285 yeas to 126 nays, Roll No. 417. **Page H6004**

The House agreed by unanimous consent to H. Res. 957, directing the Sergeant at Arms of the House of Representatives to deliver the mace of the House of Representatives to the Secretary of the Smithsonian Institution for necessary repairs. **Pages H6004–05**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. on tomorrow, Friday, July 28th. **Page H6005**

Discharge Petition: Representative Filner moved to discharge the Committee on Rules from the consideration of H. Res. 917, providing for the consideration of H.R. 23, to amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II (Discharge Petition No. 14).

Senate Message: Message received from the Senate today appear on page H5957.

Senate Referral: S. 3741 was held at the desk. **Page H5957**

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings today and appear on pages H5972–73, H5973, H6000–01, H6003, H6003–04, H6004. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:12 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Agriculture: Ordered unfavorably reported H.R. 503, amended, the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption; and H.R. 3849, PIC and POPs Conventions and the LRTAP POPs Protocol Implementation Act.

Prior to this action, the Committee held a hearing on these measures. Testimony was heard from the following members of Congress: John E. Sweeney; and Don Sherwood; former Congressman Charles W. Stenholm; and public witnesses.

REVIEW CONSERVATION ISSUES

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development, and Research held a hearing to review Conservation Issues. Testimony was heard from the following officials of the USDA: Mark E. Rey, Under Secretary, Natural Resources and Environment; and Teresa C. Lasseter, Administrator, Farm Service Agency; and public witnesses.

BORDER SECURITY AND IMMIGRATION ENFORCEMENT

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Border Security and Immigration Enforcement, Testimony was heard from Secretary Michael Chertoff, Homeland Security.

CENSUS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies held a hearing on the Census. Testimony was heard from Charles L. Kincannon, Bureau of the Census, Department of Commerce; and Brenda Farrell, Acting Director, Strategic Issues, GAO.

NO CHILD LEFT BEHIND

Committee on Education and the Workforce: Held a hearing on No Child Left Behind: Can Growth Models Ensure Improved Education for All Students. Testimony was heard from Marlene S. Shaul, Director, Workforce and Income Security Issues, GAO; Joel I. Klein, Chancellor, New York City Department of Education; and public witnesses.

EFFICIENT CARE FOR MEDICARE BENEFICIARIES

Committee on Energy and Commerce: Subcommittee on Health continued hearings on How to Build a Payment System that Provides Quality, Efficient Care for Medicare Beneficiaries. Testimony was heard from Mark B. McClellan, MD, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

PIPELINE SAFETY MEASURES

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing on the following: Pipeline Safety Improvement Act Reauthorization; and H.R. 5872, Pipeline Safety Improvement Act of 2006. Testimony was heard from

Thomas J. Barrett, Administrator, Pipeline and Hazardous Materials Administration, Department of Transportation; and Donald L. Mason, Commissioner, Public Utilities Commission, State of Ohio.

CLIMATE CHANGE ASSESSMENTS IMPLICATIONS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations continued hearings entitled ''Questions Surrounding the 'Hockey Stick' Temperature Studies: Implications for Climate Change Assessments.'' Testimony was heard from public witnesses.

HOLOCAUST ART ASSETS

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled ''Review of the Repatriation of Holocaust Art Assets in the United States.'' Testimony was heard from Stuart Eizenstat, Presidential Advisory, Commission on Holocaust Assets in the U.S.; Catherine A. Lillie, Director, Holocaust Claims Processing Office, New York State Banking Department; and public witnesses.

HOMELAND SECURITY ACQUISITION BUREAUCRACY

Committee on Government Reform: Held a hearing entitled ''Code Yellow: Is The DHS Acquisition Bureaucracy a Formula for Disaster?'' Testimony was heard from the following officials of the Department of Homeland Security: David M. Zavada, CPA, Assistant Inspector General, Office of Audits; Elaine Duke, Chief Procurement Officer, Customs and Border Protection; and Richard Gunderson, Acting Assistant Administrator, Office of Acquisition, Transportation Security Administration; Michael J. Sullivan, Director, Acquisition Sourcing and Management, GAO; and a public witness.

ROYALTY RELIEF AND PRICE THRESHOLDS

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled ''Royalty Relief and Price Thresholds III.'' Testimony was heard from public witnesses.

CHEMICAL FACILITY ANTI-TERRORISM ACT

Committee on Homeland Security: Ordered reported

H.R. 5695, Chemical Facility Anti-Terrorism Act of 2006.

NATIONAL MUSEUM OF THE AMERICAN LATINO COMMUNITY ACT OF 2005; OVERSIGHT—LIBRARY OF CONGRESS

Committee on House Administration: Ordered reported H.R. 2134, amended, Commission to Study the Potential Creation of a National Museum of the American Latino Community Act of 2005.

The Committee also held an oversight hearing on the Library of Congress. Testimony was heard from the following officials of the Library of Congress: James H. Billington, Librarian of Congress; Deanna Marcum, Associate Librarian, Library Sciences; Laura Campbell, Associate Librarian, Strategic Initiatives; and JoAnn Jenkins, Chief of State; and a public witness.

MICROENTERPRISE PROGRAM

Committee on International Relations: Subcommittee on Africa, Human Rights and International Operations held a hearing to Review the Progress and Charting the Path Ahead: the Microenterprise Results and Accountability Act of 2004. Testimony was heard from Jacqueline E. Schafer, Assistant Administrator, Bureau of Economic Growth, Agriculture and Trade, U.S. Agency for International Development, and public witnesses.

REPORT OF THE COMMISSION FOR ASSISTANCE TO A FREE CUBA

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on the Report of the Commission for Assistance to a Free Cuba. Testimony was heard from Caleb C. McCarry, Cuba Transition Coordinator, Commission for Assistance to a Free Cuba, Department of State.

PROTECTION FOR FASHION DESIGN; ESTABLISH PILOT PROGRAM TO ENCOURAGE ENHANCEMENT OF EXPERTISE IN PATENT CASES

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property ordered reported H.R. 5418, To establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges.

The Subcommittee also held a hearing on H.R. 5055, To amend title 17, United States Code, to provide protection for fashion design Testimony is heard from public witnesses.

OVERSIGHT—WHETHER ATTEMPTED IMPLEMENTATION OF SENATE IMMIGRATION BILL WILL RESULT IN A NATIONAL SECURITY NIGHTMARE

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Claims held an oversight hearing on Whether Attempted Implementation of the Senate Immigration Bill Will Result in an Administrative and National Security Nightmare, Testimony was heard from public witnesses.

PRIVATE CLAIMS

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Claims ordered reported the following bills: H. Res. 201, Referring the bill (H.R. 1329) entitled "A bill for the relief of Adela and Darryl Bailor" to the chief judge of the United States Court of Federal Claims for a report thereon; H.R. 1211, For the relief of Ana Maria Moncayo-Gigax; and H.R. 1180, amended, For the relief of certain aliens who were aboard the Golden Venture.

OVERSIGHT—ATLANTIC STRIPED BASS CONSERVATION AND MANAGEMENT

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing to Examine Atlantic Striped Bass Conservation and Management. Testimony was heard from William T. Hogarth, Director, National Marine Fisheries Service, NOAA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 5760, Giant Sequoia National Monument Transition Act of 2006; H.R. 5149, Eastern Sierra Rural Heritage and Economic Enhancement Act; H.R. 4784, Eugene Land Conveyance Act; H.R. 4235, Browns Canyon Wilderness Act; H.R. 2718, Idaho Land Enhancement Act; H.R. 2039, and S. 225, Federal Land Recreational Visitor Protection Act of 2005. Testimony was heard from the following Members of Congress Butch Otter; Joel Hefley; and Buck McKeon; David Tenny, Deputy Under Secretary, Natural Resources and Environment, USDA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 630, To authorize the Secretary of the Interior to convey certain Federal lands to the City of Yuma, Arizona, in exchange for certain lands owned by the City of Yuma, Arizona; H.R. 5666, Southern Idaho Bureau of Reclamation Act of 2006; H.R. 5796, To direct the Secretary of the Interior to exclude and defer from the pooled reimbursable costs of the Central Valley Project the reimbursable capital costs of the unused capacity of the Folsom South Canal, Auburn-Folsom South Unit, Central Valley Project, and S. 895, Rural Water Supply Act of 2005. Testimony was heard from William E. Rinne, Acting Commissioner, Bureau of Reclamation, Department of the Interior; Curtis M. Anderson, Deputy Administrator, rural Development Utilities Programs, USDA; and public witnesses.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported for the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of July 28, 2006, providing for consideration or disposition of any of the following measures: (1) a conference report to accompany the bill (H.R. 2830) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, and for other purposes; (2) a bill to amend the Internal Revenue code of 1986 to increase the unified credit against the estate tax to an exclusion equivalent of $5,000,000, to repeal the sunset provision for the estate and generation-skipping taxes, and to extend expiring provisions, and for other purposes; and (3) a bill to provide economic security for all Americans, and for other purposes.

UNDERSEA RESEARCH/OCEAN EXPLORATION

Committee on Science: Subcommittee on Environment, Technology and Standards held a hearing on Undersea Research and Ocean Exploration: H.R. 3835, National Ocean Exploration Program Act. Testimony was heard from the following officials of NOAA: Rich Spinrad, Assistant Administrator, Office of Oceanic and Atmospheric Research; and Andrew Shepard, Director, Undersea Research Center; and a public witness.

EMERGENCY CARE

Committee on Ways and Means: Subcommittee on Health, held a hearing on Emergency Care. Testimony was heard from public witnesses.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to hold a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

FISA LEGISLATION

Permanent Select Committee on Intelligence: Held a hearing on FISA legislation. Testimony was heard from the following Members of Congress: Joe Wilson; John Conyers, Jr.; Jeff Flake; and Adam B. Schiff.

U.S.-RUSSIAN STRATEGIC CONSIDERATIONS

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy met in executive

session to hold a hearing on U.S.-Russian Strategic Considerations. Testimony was heard from departmental witnesses.

Joint Meetings

ENERGY AND THE IRANIAN ECONOMY

Joint Economic Committee: On Tuesday, July 25, 2006, committee concluded a hearing to examine energy and the Iranian economy, after receiving testimony from Paul E. Simons, Deputy Assistant Secretary of State for Energy, Sanctions, and Commodities, Bureau of Economic and Business Affairs; Kenneth Katzman, Specialist in Middle Eastern Affairs, Congressional Research Service, Library of Congress; and Ilan Berman, American Foreign Policy Council, Andrew Davenport, Conflict Securities Advisory Group, and Jeffrey J. Schott, Institute for International Economics, all of Washington, D.C.

HUMAN RIGHTS IN RUSSIA

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine ways the United States Government can fulfill its commitment to promote human rights and democratic governance in Russia while preserving a relationship with Moscow, after receiving testimony from Felice D. Gaer, U.S. Commission on International Religious Freedom; Carl Gershman, National Endowment for Democracy; Tom Melia, Freedom House; and Fritz W. Ermarth, all of Washington, D.C.; and Nikolas K. Gvosdev, National Interest, Shrub Oak, New York.

COMMITTEE MEETINGS FOR FRIDAY, JULY 28, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine recovery and reconstitution of critical networks relating to cyber security, focusing on immediate steps that Department of Homeland Security and the private sector can take to formalize a partnership and to ensure effective response and recovery to major cyber network disruption, 9:30 a.m., SD–342.

House

No meetings are scheduled.

Next Meeting of the SENATE

10 a.m., Friday, July 28

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, July 28

House Chamber

Program for Friday: To be announced.

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