House of Representatives

The House was not in session today. Its next meeting will be held on Monday, April 25, 2005, at noon.

Senate

FRIDAY, APRIL 22, 2005

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our Father, You are holy, You are our strength and shield. Let Your presence be felt in our world. Comfort those brought low by sorrow and uncertainty. Lighten the load for those who are burdened beyond their resources. Lift those who are bowed by life’s circumstances and sustain those who walk through the valley of shadows. Today, use Your Senators for Your glory. Let Your peace prevail in their hearts. May the work of our lawmakers hasten the day when the nations of the world will live together in dignity and harmony. Teach us creative ways to work for the betterment of humanity. Lord, we will wait for Your mercies in the presence of Your people. We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHNNY ISAKSON led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER, The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 22, 2005,

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, to perform the duties of the Chair.

TED STEVENS, President pro tempore.

Mr. ISAKSON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore, The Senator from Utah is recognized.

SCHEDULE

Mr. BENNETT. Mr. President, today we will have a period for morning business to permit Senators to make statements. As announced by the majority leader last night, there will be no rollcall votes during today’s session. We hope to begin consideration of the highway bill next week. The majority leader will have more to say on that later. Perhaps we will have information on that schedule by the close of business today.

As a further reminder, there will be no rollcall votes on Monday, which is April 25. On behalf of the leadership, I thank Senator COCHRAN for his work on the emergency supplemental appropriations bill, which we passed yesterday by a vote of 99 to 0. We will shortly proceed to a conference in order to produce a final product that will be sent to the President.

I thank everyone for their attention this morning, and I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The Chair recognizes the Senator from Colorado.

JUDICIAL NOMINATIONS

Mr. ALLARD. Mr. President, I rise this morning to clear up the apparent confusion and misinformation surrounding the confirmation of judicial nominations.

I hope to shed some light on one of our most important obligations and express to the American people the truth about the partisan obstruction of our constitutional duties.

Article II of the Constitution, known as the advice and consent clause, requires Senate approval of judicial nominations. This obligation is only

*This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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fulfilled when the Senate allows an up or down vote on a nominee.

The vote acts as an expression of the body’s “advice and consent,” but this expression simply cannot occur if it is blocked by a filibuster.

I strongly believe that the use of a filibuster to block judicial nominations is not only unprecedented minority obstruction but an attack on the Constitution itself.

The decision to vote on a judicial nomination or to obstruct the nominee puts the Constitution against a mere tool of parliamentary procedure; that is the Constitution versus a Senate rule called the filibuster.

I urge my colleagues to put our faith in the founding document, not a filibuster rule. To do otherwise degrades the Constitution and relegates it to the level of an arbitrary rule of procedure. Let me make it clear.

I am not going to stand idly by as parliamentary maneuvers run roughshod over the Constitution and centuries of Senate practices.

The Republican majority is not establishing a new precedent. We are simply trying to restore the rights of the Constitution and the practices that this body has observed for over 200 years.

If the Senate allows the filibusters of judicial nominations to continue, it will be acquiescing in a minority’s unilateral change to Senate procedure and practices; requiring 60 votes for the confirmation of judges through the rules, undermining the Constitution’s requirement of senatorial advice and consent, and the Constitution versus the filibuster rule.

The practical effect is an amendment to the Constitution without the approval of the American people.

My colleagues on the other side would have everyone believe that the filibuster is being eliminated. But that simply is not the case.

They don’t mention that the filibuster never existed on judicial nominations. In fact, it never existed until the 1970s. It became popular in the Senate last Congress to block 10 judges.

It was not a usual way of doing business. It was the first time in the history of the Senate that the filibuster was used. The Democrats want to have it both ways. They want to change the history of the Senate by blocking judges with the filibuster, rewrite the Constitution by using the filibuster to thwart advice and consent clause, and then blame Republicans for simply saying, “let’s follow the Constitution and allow votes on judges, let’s follow Senate tradition.”

They falsely portray our actions to preserve the advice and consent clause as something akin to minority persecution.

But what they don’t mention is that the filibuster is not a law. It is not in the Constitution. In fact, the Founding Fathers didn’t envision a filibuster weapon at all.

Even more astonishing is the fact that several of the Democrats who are now ardent supporters of the judicial filibuster are the same ones who tried to eliminate the filibuster entirely just a few years ago, not only on judicial nominations but on everything, including legislative actions.

It is the Democrats who are altering the history. It is the Democrats who are unleashing a weapon that threatens to alter the traditions and precedent of the Senate.

It is the Democrats who are revising the history of our Founding Fathers and undermining the three branches of our separate but equal system of Government.

For example, from 1789 until 1806 the Senate had a traditional “motion for the previous question” in its rules. There was no intention to create a Senate where a filibuster was prominent. The filibuster was not used in any significant way at all until the 1840’s, and it was never used for judicial nominations.

The Senate’s original cloture rule, in 1917, did not even apply to nominations because no Senator had ever used a filibuster to block a nomination.

Let me repeat that, up until 1917 the Senate’s original cloture rule didn’t even apply to nominations. Therefore no Senator had ever used a filibuster to block a nomination.

The rule did not apply, not because the Senate approved of such filibusters but because Senators never contemplated them.

A thorough examination of Senate history clearly demonstrates that there is no precedent for the Democrats’ use of the filibuster to permanently block the confirmation of judicial nominations.

Some Democrats claim that Republicans want to destroy the filibuster for all matters. This is simply not true.

What is true is that the only sitting Member of Congress with a record of supporting the elimination of the filibuster are Democrats.

In 1995, 19 Senators all Democrats, not one Republican, voted to eliminate the filibuster for all matters, not only judicial but also legislative. Nine of the 19 Democrats who voted for the Harkin-Lieberman rule change remain in this body today.

And all of those Senators now support the filibustering of judicial nominations. If it was ok to end the filibuster rule in 1995, why is it not ok today?

Let me just share some of the comments made by those Democratic Senators in 1995:

For too long, we have accepted the premise that the filibuster rule is immune. Yet, Mr. President, there is no constitutional basis for it. We impose it on ourselves. And if I may say respectfully, it is, in its way, inconsistent with the Constitution, one might almost say an amendment of the Constitution by the rules of the U.S. Senate.

The Democrats also said:

[A] filibuster ought to be used to slow down, temper legislation, change minds, but should not be used as a measure whereby a small minority can totally keep the majority from voting on the merits of a bill.

Now 10 years later, evidently what is good for the goose can forget about the gander.

Turning to the issue of Senate rules, the Democrats claim that changing the rules of the Senate is unprecedented, that using the Constitution to end the filibuster is tyranny.

Again, let me point out another instance where the gosse has left the gander.

The constitutional option is grounded in Article I, Section 5 of the U.S. Constitution that empowers the Senate to “determine the Rules of its Proceedings.

The Senate has repeatedly exercised the constitutional option to define minority rights, as long ago as 1977, and it has done so in a Democratic-led majority.

The use of a simple majority vote to screen nominees is as old as the Senate. In fact, the constitutional option has been exercised in 1977, 1979, 1980, and 1987.

It was used in 1977 to end post-cloture filibusters; in 1979 to limit amendments to appropriations bills; in 1980 to govern consideration of nominations; and again in 1987 to govern voting procedures.

In every instance, the Senate acted independently of the Senate rules in order to change Senate procedures in the face of obstruction or abuse by a minority of Senators.

History clearly shows that it is the constitutional option that has been used before. It is the use of the filibuster that is an unprecedented expansion of minority obstruction.

An exercise of the constitutional option under the current circumstances would return the Senate to the historic and constitutional confirmation standard of a simple majority for all judicial nominations.

Employing the constitutional option here would have no effect on the legislative filibuster, and this is very important. Senators would still have the ability to filibuster any bill, any time.

The Constitution calls upon the Senate collectively to determine whether or not a particular nominee is qualified to serve. This determination is made in one vote, the approval or disapproval of the nomination itself. Advice and consent does not mean avoiding a vote on a judicial nominee entirely by employing a filibuster.

If a Member of the Senate disapproves of a judge, then let them vote against the nominee.

But a filibuster should never be used to deprive the people of the choice selected by their elected representatives.

It is the Senate’s duty to collectively participate in a show of “advice and consent” to the President by voting. It is this act that exercises what James Madison referred to as the remote choice of the people.

I sincerely hope we can work through the impasse on judicial nominations.
I hope those opposed to the President’s nominees will be given the opportunity to vote against them and that they will speak their mind about it.

But I also hope that we will be allowed to provide the guidance we are required to provide under the Constitution.

The basic decision the Senate must make is this: Either constitutional advice and consent prevails or the filibuster is allowed to change the Constitution. I believe in the Constitution. I believe we should vote on the nominations.

As I have said so many times before, “vote them up, or vote them down, but just vote.”

Mr. President, I yield the floor and 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. BENNETT. 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. BENNETT. Mr. President, I ask unanimous consent that I be allowed to continue in morning business for 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JUDICIAL NOMINATIONS

Mr. BENNETT. Mr. President, the Senator from Colorado talked about the ongoing conversation with respect to the filibuster in the Senate. If I may, I would like to reminisce for a little while because I have something of a history in the Senate. I have clearly not been here nearly as long as many of my colleagues, but I first came into this Chamber when I was a teenager. My father was a Senator. I was a summer intern in his office. I suppose there was something strange about me as a teenager because I was more interested in the Senate than I was in sports or cars, the two subjects that young boys are supposed to be paying attention to.

I remember sitting in the family gallery one evening listening to the debates. There were debates. There was not the situation we find now where Senators come to the floor to posture for the television cameras. They came to the floor to have a clash of ideas. I remember a particular debate where a Senator on the Democratic side of the aisle was holding forth. He seemed to be winning the argument and the Senators on the Republican side of the aisle sent up the call for the chairman of the Finance Committee, who entered the back of the Chamber. I remember the Democratic Senator saying, I see the Republicans have brought up their heavy artillery. Then there was an exchange between these two Senators which the chairman of the Finance Committee clearly won.

The Democratic Senator got a little flustered and a little angry at being bested in the debate and so he started to complain. It so happened that Colorado, a small State, had as many Senators as Illinois, the big State, which he represented. Whereupon the chairman of the Finance Committee from Colorado then said, the Senator is no longer opposed to the bill. He is now opposed to the Constitution. I must say, I am not surprised. And he turned on his heel and walked out and the debate was over. It was an exciting thing to watch for those of us who were political junkies.

We have come a long way from that. I don’t think it is a long way forward. We have come a long way from the give and take of debate into an atmosphere where this Senate has become the platform for people to express harsh views, strong and God forbid occasionally, in my view, go over the line of that which is appropriate. We have become a sounding board for partisanship rather than a deliberative body for debate.

I am not quite sure when we started in that direction or what brought us from that old time to this present time. One of the moments might have been the debate over the nomination of Robert Bork to the Supreme Court. Robert Bork represents one of the nominees I know of whose name has turned into a verb. We now hear groups, as they talk about a nominee, say “we’re going to Bork him.” Look back at what was done with respect to the nomination of Robert Bork and it was nothing short of character assassination; or, to use a phrase that was popular in the last administration, the politics of personal destruction.

We have seen that activity poison the comity of the Senate on both sides of the aisle because when it was done to Robert Bork on behalf of those who were opposed to the nomination made by President Reagan, those who were Reagan supporters began to say, we will do the same thing. When Democratic Presidents came along, their nominees began to be attacked on a personal basis rather than on the merits of the situation, much as Robert Bork had been. Now it becomes a standard tactic on both sides of the aisle.

Why do I raise that with respect to the controversy over whether the Senate has the right by majority vote to change its rules? I raise it because too much of the current debate over that question has gone in the direction of “Borking”—Senators on both sides of the aisle, the process on both sides of the aisle and, if you will, the institution itself.

I have great reverence for this institution and I am distressed at what I see as I look over the landscape with respect to this particular debate. I see on one side e-mails and press releases saying we must stop George W. Bush from packing the courts with right-wing whackos. That is what this debate is about. The filibuster is our tool to prevent right-wing whackos from getting on the court.

But a circuit court judge ever prevented from gaining a vote by virtue of the filibuster in the history of the American Republic was a man named Miguel Estrada. Miguel Estrada is an immigrant to this country. He came here not speaking English. He graduated from the Harvard Law School School as the editor of the Harvard Law Review. He served in the Justice Department under the first President Bush in the Solicitor’s Office and received glowing recommendations and reports from every one of his superiors. Indeed, his performance was sufficiently outstanding that he remained in the Justice Department in the Solicitor’s Office for 2 years while Janet Reno was the Attorney General. Janet Reno is now known for harboring right-wing whackos.

The American Bar Association gave him their highest recommendation for this position and they are not known for harboring right-wing whackos.

But the level of vilification and personal abuse to the point that those who decided they must oppose Miguel Estrada for whatever reason stand mute while he and others like him are attacked as right-wing whackos. Fortunately, this kind of attack doesn’t stay on one side or the other. Today there are radio ads being run in the home states of Senators who have still not made up their mind how they are going to vote, radio ads that attack these Senators’ integrity and suggest if they do not vote as the majority leader would like them to vote, they are not people of faith. They are attacking their integrity and their religion. To me, that is as repugnant as attacking the President’s nominees as right-wing whackos.

This kind of vilification must stop, but I don’t know how to stop it. The first amendment gives us all a right to say whatever we want to say, however ridiculous it may be, however offensive it may be. But it is ridiculous and it is offensive to have the kind of debate going on over this issue. This is a legitimate issue on which Senators can have legitimately differing views. It should not become a vehicle for practicing the politics of personal destruction. But it is going on.

I simply raise my voice in the hope that on both sides, the temperature of the rhetoric can come down, and we can discuss the issue on its merits. Let me do my best to discuss the issue on its merits in the time I have.

First, what are we talking about? We are talking about changing a Senate tradition. We are also talking about changing a Senate rule. I want people to understand the two are not the same. Indeed, we have formal rules in the Senate governing the way we do business. We have created traditions
and, quite frankly, the tradition trumps the rule. If somebody invokes the rule, they can overturn the tradition, but the trend of the tradition that has taken hold trumps the rule.

I will give an example of which I am sure the President is aware. The rule says the Presiding Officer is required to recognize whichever Senator addresses the Chair first. The tradition is that the Presiding Officer recognizes the member first, even if he is not the first one in a jump-ball situation to shout out the name of the Presiding Officer. The tradition says the Presiding Officer recognizes the minority leader second, recognizes the majority leader in the bill third, the minority manager of the bill fourth, and then those Senators who ask for recognition are recognized according to the rule.

We honor that tradition for a variety of good reasons. We have not written it into the rules, but it does not matter because the tradition trumps the rule and it helps the Senate move forward. I make a point of this difference for this reason: those who say the filibuster being used to stop judicial nominees are acting in accordance with the rule, are exactly right. The rule has always been there and those who used the rule to stop the nomination to prevent the President from having a judicial nominee have always held in the Senate that a nominee who gets out of committee on which he was a member in the minority during the nomination has the right to an up-or-down vote. By invoking the rule in the last Congress, the then-Democrat leader overturned the tradition. By talking about changing the rule now, the Republican leader, the majority leader, is entirely within his rights and acting absolutely in compliance with the rules. Let’s not demonize them for using the rules.

However, those who say it is a violation of the tradition to use the filibuster to block a circuit court judge are also exactly right. By tradition, we have always held in the Senate that a nominee who gets out of committee and comes to the Senate is entitled to an up-or-down vote. By invoking the rule in the last Congress, the Senate together with the filibuster from Miguel Estrada were entirely within their rights and acting absolutely in compliance with the rules. Let’s not demonize them for using the rules.

Now we find ourselves in a situation where the tradition has been changed, and the question is, will we now change the rule to reestablish the tradition? It is a legitimate debate. I have respect for those who hold positions on both sides.

I do make this comment. If the rule change does not go through, and the rule that now holds that says judicial nominees are fair game, I guarantee the next time the Democratic Party has a President who sends up a nominee that 41 Senators on the Republican side decide they do not like, the Republicans will abide by the rule that has changed the tradition, and they will filibuster it, as they did with Estrada.

Now, I have many of my colleagues who say: No, no, we would never do that. We honor the tradition, and we would go back to that tradition.

I do not believe them. I do not say they are lying to us. I think they believe what they are saying now. But I believe, in the heat of the battle that would come with a Republican minority in the Senate and a Democratic President, the Republicans, I believe, would have an atmosphere that would prevent them from using the filibuster. Let’s give them a taste of their own medicine. The level of political dialogue would continue to go down. The level of personal destruction would continue to go up.

The other question I raise for speculation: Suppose nothing happens in this Congress. Democrats win the Presidency in 2008, the Republicans do use the filibuster to stop judges. A Democratic President is in control, but the Democrats are in control of the Senate. Will those who are standing here saying this is a disaster for the Senate give a pledge that they will not, when they are in the majority, suggest using 51 votes to get rid of the filibuster on judicial nominees?

I suggest they would be tempted to do the same thing the Republicans are trying to do now in order to take care of their Democratic President. Indeed, the record shows they have done that.

These quotations have already been given on the floor, but I want to repeat them in this context.

Senator BYRD, in 1979, said:

Now we are at the beginning of Congress. The Senate is not being embarrassed by the dead hand of the past... [I]t is my belief—which has been supported by rulings of Vice Presidents of both parties and by votes of the Senate—indeed, by the power and right of a majority of the Senate to change the rules of the Senate at the beginning of a new Congress.

Senator BYRD now now callavos to that position. And I respect that. Each one of us is entitled to change our mind. I have changed my mind. He is entitled to change his. Will he make a pledge he will not change it back when the Democrats are in the majority and say: We want to prevent filibusters of our President’s judicial nominees?'

Senator KENNEDY said in 1975:

By what logic can the Senate of 1917 or 1949 or 1959 bind the Senate of 1975? As Senator Walsh of Montana said during the Senate debate in 1917 on the enactment of the original rule XXII: “A majority may adopt the rules in the first place. It is preposterous to assert that they may deny future majorities the right to change them.”

Senator KENNEDY has obviously changed his mind. And I respect the Senator’s right to change his mind. But I ask again, What assurance do we have he will not change his mind back if the Democrats get the majority and are seeking to protect a President of their own?

In 1995, there were nine Senators who voted in favor of eliminating all filibusters, not just judicial filibusters, all filibusters—nine Senators—nine voting, Senator BINGAMAN, Senator BOXER, Senator FEINGOLD, Senator HARKIN, Senator KENNEDY, Senator KERRY, Senator LAUTENBERG, Senator LIEBERMAN, and Senator SARBANES. They voted in favor of eliminating all filibusters. They have now changed their minds. They have the right to change their minds. And I respect that. What indication do we have they will not change their minds back if we do not get this thing settled in this Congress? Is the newspaper that sometimes acts as the house organ for the Democratic Party, the New York Times, this is what they had to say in
1995, when Senator HARKIN introduced the legislation to eliminate filibusters.

Mr. President, I ask unanimous consent that editorials of the New York Times be printed in the Record at the conclusion of my statement.

The Acting President pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BENNETT. The New York Times said: “Time to Retire the Filibuster.” That is the headline on the editorial. It says:

The U.S. Senate likes to call itself the world’s greatest deliberative body. The greatest obstructive body is more like it.

And they go on to attack filibusters and give a little of the history. And then this is their summary of the filibuster, four paragraphs down:

One unpleasant and unforeseen consequence has been to make the filibuster easy to invoke and painless to pursue. Once a rare and last resort procedure reserved for issues on which senators held passionate convictions, the filibuster has become the tool of the sore loser, daunting any measure that cannot command 60 votes.

Well, you would think, then, that when the Republicans are saying, “Well, we don’t want to eliminate the legislative filibuster, but we do want to re-enthrone the Senate tradition that the filibuster is not used on circuit court judges,” the first cheerleader would be the New York Times. Having labeled the filibuster “the tool of the sore loser,” and saying that it is obstructionist, the New York Times ought to be cheering the idea that finally a majority is about to follow their advice offered in their editorial pages.

But, no, this is what the New York Times now says: “The Senate on the Brink.” This is an editorial of March 6, 2005:

The White House’s insistence on choosing only far-right judicial nominees has already damaged the federal courts. Now it threatens to do grave harm to the Senate. If Republicans fulfill their threat to overturn the historic role of the filibuster in order to ram Bush administration nominees through, they will be inviting all-out warfare and perhaps an effective shutdown of Congress.

Interesting what 10 years’ time and a change of administrations can do. The filibuster that was “the tool of sore losers” suddenly has become “the historic role,” even though they cannot point to a single case in history where the filibuster has been used to prevent an up-or-down vote on a circuit court nominee who made it to the floor.

How they can call that a “historic role” is something I will leave to the editorial writers of the New York Times.

We hope we will not see any more press releases attacking the President’s nominees as “right-wing whackos,” that we will not see any more radio ads attacking Senators who are examining this matter as being people of no faith, that we will stop the politics of personal destruction on both sides of this issue, and we will look at it in its historic pattern.

What we do or do not do on this issue will set the tone of where the Senate and future Presidents go for decades to come. The Republic survived for over 200 years without the minority of either party exercising its right to filibuster. We should be very careful about enshrining in tradition the rule that says it is time to change.

I yield the floor.

[From the New York Times, Jan. 1, 1995]

TIME TO RETIRE THE FILIBUSTER

The U.S. Senate likes to call itself the world’s greatest deliberative body. The greatest obstructive body is more like it. In the last session of Congress, the Republican minority invoked an endless string of filibusters to frustrate the will of the majority. This relentless abuse of a time-honored Senate tradition so disgusted Senator Tom Harkin, a Democrat from Iowa, that he is now willing to forego easy election and drastically limit the filibuster. Hooray for him.

For years Senate filibusters—when they weren’t conjuring up romantic images of Jimmy Stewart as Mr. Smith, passing out from exhaustion on the Senate floor—consisted mainly of negative feats of endurance. Senator Sam Ervin once spoke for 22 hours straight. Outrage over these tactics and their ability to bring Senate business to a halt led to the current so-called two-track system, whereby a senator can hold up one piece of legislation while other business goes on as usual.

The two-track system has been nearly as obstructive as the old rules. Under those rules, if the Senate could not muster the 60 votes necessary to end debate and bring a bill to a vote, someone had to be willing to talk a bill to death on the floor. That is no longer required. Even if the 60 votes are not achieved, debate stops and the Senate proceeds with other business. The measure is then referred to the next cloture vote. In this way a bill can be stymied at any number of points along its legislative journey.

One unpleasant and unforeseen consequence has been to make the filibuster easy to invoke and painless to pursue. Once a rarely used tactic reserved for issues on which senators held passionate convictions, the filibuster has become the tool of the sore loser, daunting any measure that cannot command 60 votes.

Mr. Harkin, along with Senator Joseph Lieberman, a Connecticut Democrat, now proposes to make such obstruction harder. Mr. Harkin says reasonably that there must come a point in the process where the majority rules. This may not sit well with some of his Democratic colleagues. They are now perfectly positioned to exact revenge by frustrating the Senators whom they believe are blocking the road. Personally, I think the White House should be a little more evenhanded than it is in its recent behavior.

President Bush likes to complain about the divisive atmosphere in Washington. But he has contributed to it mightily by choosing federal judges from the far right of the ideological spectrum. He started his second term with a particularly aggressive move: resubmitting seven nominees whom the Democrats blocked last year. Bush has the votes through the Senate, but he will be inviting all-out warfare and perhaps an effective shutdown of Congress. The Republicans are claiming that if any Democrat votes to confirm any of the seven renominated judges, it will be an admission that the rule book has been rewritten.

Myers, a former lobbyist for the mining and ranching industries who demonstrated at his hearing last week that he is an antienvironment extremist, now lacks the evenhandedness necessary to be a federal judge. Another is Janice Rogers Brown, who has disparaged the New Deal as “our social revolution.”

To block the nominees, the Democrats’ weapon of choice has been the filibuster, a time-honored Senate procedure that preserves the legislative majority when a senator is running roughshod. Republican leaders now claim that judicial nominees are entitled to
an up-or-down vote. This is rank hypocrisy. When the tables were turned, Republicans filibustered President Bill Clinton's choice for surgeon general, forcing him to choose another. Yet Senate majority leader, who now finds judicial filibusters so offensive, himself joined one against Richard F. M. Paez, a Clinton appeals court nominee.

Yet some Republicans are threatening to have Vice President Dick Cheney rule from the chair that a simple majority cannot confirm any judicial nominee, rather than the 60 votes necessary to stop a filibuster. This is known as the “nuclear option” because in all likelihood it would blow up the Senate’s operations. The Senate does much of its work by unanimous consent, which keeps things moving along and prevents ordinary day-to-day business from drowning in procedural votes. But if Republicans change the filibuster rules, Democrats could respond by ignoring the tradition of unanimous consent and making it difficult if not impossible to get anything done. Arlen Specter, the Pennsylvania Republican who is chairman of the Judiciary Committee, has warned that “the Senate will be in turmoil and the Judiciary Committee will be dead.”

Despite his party’s Senate majority, however, Mr. Frist may not have the votes to go nuclear. A number of Republicans— including John McCain, Olympia Snowe, Susan Collins, Lincoln Chafee and John Warner—could break away. For them, the value of confirming a few extreme nominees may be lost to the greater damage to the Senate. Besides, majorities are temporary, and they may want to filibuster one day.

There is one way to avert a showdown. The White House should meet with Senate leaders of both parties and come up with a list of nominees from the broad mainstream of Clinton, Ronald Reagan and George H.W. Bush. There may be one name on which both Democrats and Republicans agree to submit—such as one from Utah, Mr. BENNETT, whom I will give my special thanks to.

The ACTING PRESIDENT pro tempore. The Senator yields back.

Mr. BENNETT. Mr. President, I ask unanimous consent of the Senate that the names of the nominees that I previously wrote to Senator FRIST to warn him about the alarming rise of religious McCarthyism be included in the Senate record.

Mr. BENNETT. Mr. President, with respect to the nomination of Mr. LEAHY, I yield for one, but I would prefer Mr. BENNETT. It is only one.

Mr. LEAHY. Mr. President, I was about to refer to that. So I now refer to the fact that the Senate from Utah said people should not be demonized as being against people of faith if they oppose somebody.

Mr. LEAHY. I appreciate it. It is the first time I have heard that said on his side of the aisle. Unfortunately, many others have been saying just the opposite. That is why I wish the majority leader would not act in support of such a campaign this weekend.

The upcoming telecast to incite congregants with the false charge that those who oppose judicial activists are anti-Christian activists is wrong. It is divisive and it is destructive. That Republican officials will lend support to that effort through their silence, rather than denounce it, is disturbing and disappointing. I appreciate the Senator from Utah, Mr. BENNETT, finnally speaking out, or having a voice finally speak out from that side of the aisle denouncing it.

To divide the American people along religious lines is wrong. It has always been wrong. To promote views as anti-faith is despicable. Apparently, some will stop at nothing and stoop to any level. No scurrilous charge is too coarse; no baseless accusation is too outlandish. When a few of us stood at the microphone of attending the funeral of Pope John Paul II in Rome as part of the official Senate delegation recently, guess what happened. Democrats, but not Republicans, were castigated for not being present in Washington. There were, of course, seven Republicans in the delegation. The same people who make these charges castigated the Democrats for being in Rome.

When we explain in public session the basis on which we have decided to oppose a nomination of somebody we believe does not merit a lifetime appointment to the Federal bench, the judicial activism we detail is ignored and we are smeared as anti this or anti that. So I thank the voices of religious leaders who have come forward this week to uphold America’s great traditions of respecting faith, honoring faith, and ensuring that the constitutional prohibition against any religious test for public office be strictly observed.

Christian leaders from a variety of denominations, Muslim leaders, and Jewish leaders, have joined to reject these disgraceful efforts of a few partisans injecting religion into the discussion of judicial nominations. They have publicly denounced the efforts of the religious demagogues making slanderous charges in a win-at-all-costs bid to rile the passions and to further divide Americans one from another. I am grateful for the voices of these religious leaders. We need less division, not more. We need to work together more, not less. We need to unite, not divide.

I share the disappointment of the more than 400 religious leaders who have written to Majority Leader Frist urging him to “repeudate those who misuse religion for political purposes and who impugn the faith of any who disagree with them.”

All of us need to repudiate the messages of divisiveness and religious manipulation.

The Reverend Dr. Weldon Gaddy, president of the Interfaith Alliance, recently wrote to Senator Frist to warn against transforming “religion by baptizing it as a disciple of partisan politics.”

Abraham Foxman, national director of the Anti-Defamation League, reminded Senator Frist:

Religious liberty has flourished in our nation precisely because Americans have been steadfast in their commitment against sow- ing religious discord as a means to achieve political success.

My Irish and my Italian grandparents, like so many others, came to this country seeking a better life for their families, not just a better job but the freedoms that have always been so much a part of America’s great attraction. But it has taken time and pain for us to realize as a nation that dream of religious freedom and tolerance.

I remember my parents talking about days I thought were long past, when Irish Catholics were greeted with signs that told them they need not apply for jobs. Italian Catholics were told that they and their religious ways were not wanted. That is what my grandparents experienced and my parents saw. The smells we are seeing today mock the pain and injustice that so many American Catholics endured. We have come too far, to turn back to the darkness of intolerance.

Partisans these days are seeking to rekindle the flames of bigotry for
short-term political gain. That is more than just wrong, it is despicable. To raise the specter of religious intolerance in order to try to turn our strong, independent Federal courts into an arm of a political party is an outrage. It is shocking that some would cavalierly sacrifice the independence of Federal courts and with it the best protection Americans have of our freedoms.

This tactical shift follows on the rhetorical attacks over the past few weeks in which Federal judges were likened to the KKK and “the focus of evil.” At an event attended by Members of Congress, we have heard calls for Stalinist solutions to problems; the Stalinist solution being, of course, if you have somebody you don’t agree with, you kill them. Stalin said: No man, no problem.

We have heard the calls for mass impeachments. Last week the Senate man, no problem. For Stalinist solutions to problems; the historical attacks on judges over the past few weeks in which Federal judges were compared to the KKK and likened to the KKK and “the focus of evil.” At an event attended by Members of Congress, we have heard calls for Stalinist solutions to problems; the Stalinist solution being, of course, if you have somebody you don’t agree with, you kill them. Stalin said: No man, no problem.

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judiciary is clearly very wrong.” Just as those developments undercut democracy in Russia, so, too, our American democracy is undercut by the concentration of power in the Executive, removing checks and balances and undermining the independence of the Federal judiciary. It is ironic given that the President and Secretary of State speak so eloquently about the fundamental requirements of a democratic society—and I applaud them for doing that. They do it when they meet with President Putin of Russia. At the same time, the Bush administration and Senate Republicans are intent to employ the nuclear option to consolidate power in this Presidency in this country.

The President has, in his own words, acknowledged that democracy relies on the sharing of power. I publicly applauded his inaugural speech when he talked about this issue. He acknowledged that democracy relies on the sharing of power in the Executive, legislative, and judicial branches, on the independent system, the protection of minority rights, and on safeguarding human rights and dignity. But the so-called nuclear option is in direct contradiction to maintaining those values and those components of our democracy.

Just as Abu Ghraib and other abuses make it more difficult for our country effectively to condemn torture and abuse when we speak to the rest of the world, the nuclear option used as a partisan effort to consolidate power in a single political party and institution would make all the lectures on democracy we give to leaders of other countries ring hollow.

I spoke to a group of Russian Parliamentarians—if I might tell a short story—who came to see me shortly after the Soviet Union collapsed. They wanted to talk about our Federal judiciary. Like other representatives I heard in other emerging democracies, they were true to the U.S. Government might be a party in a lawsuit, but then the Government could lose?”

I said: Absolutely right.

They said: You mean people would dare to sue the Government?

I said: It happens all the time. We have an independent judiciary. Yes, they could.

They said: Well, if the Government actually lost, don’t you fire the judge?

I said: No, they are an independent judiciary.

I have argued cases on behalf of the Government where it might have been nice to fire the judge, but that is not the way we do things. It amazes people in other parts of the world. They are amazed that people have disagreed with their Government and could actually go to court, bring a challenge, and seek redress, even if it meant the Government would have to lose to get that redress.

Chief Justice Rehnquist is right to refer to our independent judiciary as the crown jewel of our democracy. It is more than a crown jewel, it is a dazzling jewel, a light to the rest of the world, especially those parts of the world that want to become democratic nations.

Judicial fairness and independence is also essential if we are to maintain our freedoms. I would say to the majority leader of the other body, Mr. DELAY, and others, stop slamming the Federal judiciary. We don’t have to agree with every one of their opinions. And we don’t even have to like. Let us respect their independence.

When the U.S. Supreme Court decided the Presidential election in 2000, I thought that the 5-to-4 majority—a very close majority, a one-vote majority—engaged in an incredible and overreaching act of judicial activism. But I went on the floor of the body and before the television cameras and I called for Americans to respect the opinion of the Court, even though I disagreed with it.

On the Judiciary Committee at the time, I attended the argument of Bush v. Gore, side by side with my Republican counterpart. We wanted to show the country that we had to get along and work together. Democrats didn’t make a deal with the Good Judge Scalia when we wholeheartedly disagreed with his action. Instead we took to the floor of this body and the other body and to the airwaves and said the Supreme Court has spoken. We must uphold the decision of the Court.

Part of upholding the Constitution is upholding the independence of the third branch of Government. One political party or the other will control the Presidency, as they have for over 200 years. One party or the other will control Congress.

In my 30 years here, I have been in the majority several times and in the minority several times. These things go back and forth. No political party should control the judiciary. It has to be independent of all political parties. Think of it, that was the genius of the Founders of this country: one branch of Government, totally independent of the other, independent of political parties. That genius has protected our liberties and rights for well over 200 years. It is a genius of this country that will continue to protect us, unless we allow some to destroy it for short-term political gain. It would be a terrible diminishment if we were to remove the independence of our Federal judiciary. We are liable to do something that no army that marched against us have ever been able to do to this most wonderful of democracies. If you take away the independence of our Federal judiciary, then our whole Constitutional fabric unravels. And that bright promise that brought my ancestors here from Italy and Ireland would be diminished—the bright promise that I hope continues for my children and grandchildren.

Mr. President, I have spoken long and I appreciate the courtesy of my colleague from Utah.

I close by asking unanimous consent that copies of letters sent by hundreds of religious leaders to Senator Frist, the letter from the Interfaith Alliance to Senator Frist, the statement by the National Council of Churches, the letter from the Anti-Defamation League to Senator Frist, and other statements from Rabbi David Saperstein, Director of the Religious Action Center of Reform Judaism, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

APRIL 21, 2005.

AMERICAN RELIGIOUS LEADERS AND SUPPORTERS OPPOSED TO “JUSTICE SUNDAY’S” MANIPULATION OF FAITH

Hon. Bill Frist,
Hart Senate Office Building,
Washington, DC.

Senators Frist: We write as religious leaders who cherish America’s distinctive tradition of religious respect, tolerance, and pluralism.

Our colleagues as members of religious traditions that revere truth and are guided by prophetic calls to seek justice.

We are gravely disappointed that you have lent support to those who are trying to create confusion and sow division with false charges of religious discrimination and persecution.

Good people can and do differ on policy questions like the filibuster. We emphatically reject claims that those who seek to uphold the country’s traditions of checks and balances are forcing Christians to choose between their faith and public service.

It is simply not truthful to assert that supporting the filibuster amounts to an attack on Christians of faith. Most of the 95% of the Bush nominees who have been approved, have been people of faith. They enjoyed support from both sides of the aisle.

As Senate Majority Leader, you have a responsibility to defend your colleagues on both sides of the aisle, public servants whom you know to be deeply religious people, from shameful and divisive accusations that they are attacking people of faith. You have a responsibility to defend the Nation from efforts utilizing deception and fear-mongering to manipulate Americans of faith. And, perhaps most importantly, as one of our Nation’s highest elected officials, you have a responsibility to repudiate those who misuse religion for political purposes and who impugn the faith of any who disagree with them.

Your participation in the “Justice Sunday” event gives your personal stamp of approval and legitimizes an event built on inflammatory falsehoods. We urge you either to withdraw your participation in this event or, if you participate, to use that opportunity to repudiate the message of divisiveness and religious manipulation that is at the core of the gathering.

Sincerely,
Signed by 406 religious leaders.

APRIL 17, 2005.

Hon. William Frist,
Senate Majority Leader, U.S. Capitol, Washington, DC.

Dear Senator Frist: As President of The Interfaith Alliance, a national grassroots organization with 150,000 members coming from over 75 different faith traditions, I write to you again about your interest in introducing to the United States Senate your so-called “nuclear option.” However, the formation of this open letter to you is the association being made between a person’s political position on the nuclear option and the
legitimacy of that person’s religion. Though my personal language to you does not reflect the precise manner in which each of our 150,000 members would speak to you, the crucial message to the millions of people who represent a primal interest and resonates with the mindset of these diverse individuals in this inter-religious movement. Senators oppose it was bound to happen. Leaders of the religious right and politicians pushing a partisan agenda in the name of so-called religious values and politics and religion that, now, even you, the leader of the United States Senate, appear unable to discern the difference between authentic religion and politics. I can think of no other reason that you would address a group of people and even offer encouragement to people who have announced that their opposition to the elimination of the filibuster signals antipathy toward religious faith, thus fostering a redefinition of religion that is blasphemy and a redefinition of democracy that is scary.

Politically-based judgments about faith are inappropriate at best, but, at worst, they raise suspicions about the motivations of those to whom you appeal. Do such politically-motivated judgments about religion come from people—political leaders or spiritual leaders—paid to manipulate the public’s desire to advance their personal brand of politics? Regardless of the reason for the out-of-bounds judgment, the judgment does not work. If you attempt to gain an edge for your group an edge in political advantage, but it fails as a valid criterion for evaluating religion. A particular political posture never will be the standard by which to measure the authenticity of a religious conviction! Even the suggestion that a person’s support or opposition to religious faith can be determined by their part or opposition to a political initiative called “the nuclear option” is derogatory of religion and an insult to democracy. I would think that you would want to dissociate yourself from such thought.

Though I personally disagree with your enthusiasm for eradicating the historic practice of the filibuster, viewing your efforts as a broadside to a democracy that values the rights of the minority whether in the Senate or in society as a whole, I never would pass judgment on your sincerity of your faith because of your commitment to that political strategy.

Senator Frist, I grew up in the state that Senator Frist plans to join a telecast whose organizers are attempting to change the Senate filibuster rules has taken a de-

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Senator Frist must not give legitimacy to those who claim they hold a monopoly on faith. They do not. They assert, in the words of Tony Perkins, president of the Family Research Council, that there is a vast conspiracy by the courts "to rob us of our Christian heritage and our religious freedoms." There is no such conspiracy. The Congressional Coalition, roundly unable to pass through the most extreme of the President's nominees, and now they are spinning new claims out of thin air.

This, alas, is not an isolated incident. This past week, the Christian Coalition convened a conference in Washington entitled, "Confronting the Religious Extremism of This New Century." Their special guest speaker was the House Majority Leader, Rep. Tom DeLay. When leaders of the Republican Party lend their imprimatur to such outrageous claims, including, at the conference, calls for mass imprisonment of Federal Judges, it should be of deep concern to all who care about religion. It should also be of concern to President Bush whose silence, in the wake of the claims made both at the conference in Washington and in the upcoming telecast, is alarming.

The telecast is scheduled to take place on the second night of the Passover holiday, when Jews around the world gather together to celebrate our religious freedom. It was in part for exactly such freedom that we fled Egypt. It was in part for exactly such freedom that so many of us came to this great land. That large part because of exactly such freedom that we and our neighbors here have built a nation uniquely welcoming to people of faith—of all faiths. We believe Senator Frist knows these things as well. His association with the scheduled telecast is, in a word, shameful. We call upon him to dissociate himself from the claim that "There is no chance that the denial of genocide constitutes a "double killing" for it seeks to rewrite history by absolving the perpetrators of violence while ignoring the suffering of the victims."

During my term in the Senate, I have spoken often of the Armenian genocide. We must do all we can to stop atrocities, with, and respect for, the Turkish people are not reasons to ignore historical fact. Nobel Laureate writer Elie Wiesel has said that the Armenian genocide constitutes a "double killing" for it seeks to rewrite history by absolving the perpetrators of violence while ignoring the suffering of the victims.

Today, as we remember the brave and fulfill our responsibilities as a nation to honor the memory of genocide victims and pay respect to the survivors. In doing so, we will truly deserve to be called a republic. We will seek to rewrite history, by absolving the perpetrators of violence while ignoring the suffering of the victims.

Mr. LEAHY. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tem. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tem. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tem. Without objection, it is so ordered.

90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mr. LEVIN. Mr. President, today, as in previous years, I would like to honor the memory of the millions of victims of the Armenian genocide. This year marks the 90th anniversary of the brutal campaign to eliminate Armenians from the Turkish Ottoman Empire.

April 24 was chosen as the day of remembrance, for that date in 1915, more than 5,000 Armenians including civic leaders, intellectuals, writers, priests, scientists, and doctors were systematically rounded up and murdered. The systematic and intentional killing continued until 1922, leaving nearly 1.5 million Armenians dead.

There are those who attempt to deny that this atrocity ever occurred. But there is no denying the overwhelming historical record and eyewitness accounts that documented the appalling events of 1915–23, which occurred during the time of the Ottoman Empire. The United States Ambassador to the Ottoman Empire, Henry Morgenthau, and many others, reported that the Ottoman Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race; they understood this well, and, in their conversations with me, they would casually refer to the fact that it was actually a euphemism for death marches. "I am confident that the whole history of the human race contains no such horrible episode as this." The annual remembrance of the Armenian genocide is not a condemnation of our ally, the present-day Republic of Turkey. But, our mutual interest with our NATO partner and our friendship with, and respect for, the Turkish people are not reasons to ignore historical fact. Nobel Laureate writer Elie Wiesel has said that the Armenian genocide constitutes a "double killing" for it seeks to rewrite history by absolving the perpetrators of violence while ignoring the suffering of the victims.

During my time in the Senate, I have spoken often of the Armenian genocide. We must do all we can to stop atrocities, with, and respect for, the Turkish people are not reasons to ignore historical fact. Nobel Laureate writer Elie Wiesel has said that the Armenian genocide constitutes a "double killing" for it seeks to rewrite history by absolving the perpetrators of violence while ignoring the suffering of the victims.

Mr. President, I urge my colleagues to honor the memory of the 1.5 million Armenian genocide victims by recognizing that there are still those in the world who will stop at nothing to perpetrate campaigns of hate, intolerance, and unthinkable violence. We must do all we can to stop atrocities, like those in the Darfur region of Sudan, and continue to provide adequate recovery aid to survivors. In doing so, we will truly honor the memory of genocide victims and fulfill our responsibilities as a world leader.

Mr. SARBANES. Mr. President, I rise to commemorate the 90th anniversary of the Armenian genocide, the first genocide of the 20th century. One and a half million men, women, and children lost their lives as a result of the violent actions as those portrayed in the film "Shoah" by Claude Lanzmann. The deportations were not deemed practicable, other than to rob us of our Christian heritage and our religious freedoms.

Despite the testimony from U.S. diplomats who were witness to the events, the U.S. Ambassador to Turkey, at the time, personally made vigorous appeals to stop the genocide, calling it "a campaign of race extermination" and "the greatest horror in history." Leslie Davis, a U.S. diplomat stationed in Ani, the capital of Greater Armenia, wrote in an official report, writing once to the State Department, "It has been no secret that the plan was to destroy the Armenian race as a race, but the methods used have been more cold-blooded and barbarous, if not more effective, than I had at first supposed." Even Germany, Ottoman Turkey's own ally, condemned the Turkish "acts of horror."

I would recommend a visit to the National Archives, where much of the evidence collected by our diplomats, along with survivors' accounts, are stored.

I do not deny that coming to terms with history is a difficult and painful process. Despite the abundance of national evidence documenting the Armenian genocide, there are still those who refuse to acknowledge its occurrence. To anyone who doubts this brutal history, I would recommend a visit to the National Archives, where much of the evidence collected by our diplomats, along with survivors' accounts, are stored.

We have a national interest in seeking that our foreign policy is grounded in the same principles on which this Nation was founded, a respect for the truth, the rule of law, and democratic institutions. This popular part of the administration's motivation for its recognition last fall of the genocide in Darfur. In his testimony before the
Foreign Relations Committee on September 9, Secretary Powell declared that "the evidence corroborates the specific intent of the perpetrators to destroy 'a group in whole or in part.'" This begs the question: If Darfur, why not Armenia? Did the Ottomans not seek to exterminate the Armenians to this same extent?

Although Americans of Armenian origin, many of whom came to this country fleeing persecution and looking to rebuild, make up a relatively small community by the multitudes that comprise our Nation, they have enriched our national life beyond proportion to their numbers, in the arts and sciences, in medicine, in business, and in the daily life of communities across the Nation. I support Americans of Armenian origin in calling for recognition of the genocide committed against their relatives 90 years and just a few generations ago. In recognizing this tragedy, we reinforce our commitment to building a world in which history will not repeat itself.

**SENATOR GAYLORD NELSON AND EARTH DAY**

Mr. KOHL. Mr. President, today I rise to recognize one of our most prominent Wisconsinites, Gaylord Nelson, the founder of Earth Day—and a man who was a driving force for the way the American people and the world view both the environment and environmental conservation.

Gaylord Nelson was truly a pioneer who had the vision of starting a national day to protect and celebrate our environment when it was not politically popular. What started out as an idea in the early 1960s blossomed into a national day of observance with an estimated 20 million demonstrators participating in the first Earth Day in 1970. Today there will be an estimated 500 million people in 167 countries taking part in Earth Day.

All over the country, Americans heard about the dangers of lead in our water and air, pesticides in our drinking water, and chemicals in our soil. An informed public brought pressure on Congress and the President to act. The movement that started that first Earth Day led to the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act, and Superfund legislation. These are the foundation of our environmental law today, and they would not have been possible without the work and vision of Senator Gaylord Nelson.

Senator Nelson entered public service in 1948, after serving 4 years in the military during World War II. He served as a Wisconsin State senator, Governor, and then as a U.S. Senator for 18 years. As Governor, he was known for conservation efforts and preserving wetlands long before it became popular nationally. As a Senator, he built on his environmentalist reputation to further issues including the preservation of the Appalachian Trail corridor and the creation of the national trail system.

Earth Day also reminds us that we need to work internationally. We need to engage developing economies like China, India, and Russia to head off major environmental disasters. We are not the only one affected and we can no longer pretend that environmental damage around the globe does not come back to haunt us. Senator Nelson understood that lesson almost 40 years ago, and he has been teaching it to the rest of us ever since.

The ideas of Gaylord Nelson are just as important today as they were 35 years ago. The progress that followed in the wake of the first Earth Day must not be forgotten. As a nation and as neighbors in the world we must continue to demand for higher accountability and higher environmental standards. Today is a reminder for all people to recommit themselves to environmental stewardship and to thank Gaylord Nelson for focusing us on how we impact the environment that sustains us—and the legacy we owe to the generations that follow us.

"GENTLEMAN" JIM JEFFORDS

Mr. LAUTENBERG. Mr. President, I rise to pay tribute to our friend and colleague from Vermont, Jim Jeffords, who announced on Wednesday that he will seek re-election to a fourth term in the Senate in 2006. If anyone has earned the right to retire from politics, it is Jim Jeffords. Jim began his public service in 1956, when he was just 22. He joined the Navy and served on active duty until 1959, when he entered Harvard Law School. He was elected to the Vermont State Senate in 1966, nearly 40 years ago. Two years later, he was elected State attorney general, and he served in that capacity until 1973.

He was elected to the United States House of Representatives in 1974. I think that was a testament to the respect and affection that Vermonters have for Jim. As my colleagues may recall, 1974 was a pretty tough year for Republicans to get elected.

Jim served in the House for 14 years, distinguishing himself on the Agriculture Committee and the Education and Labor Committee. He showed his fiercely independent streak in 1981 when he led the House Republicans to vote against President Reagan’s tax cuts that caused budget deficits to explode.

In 1988, Jim was elected to the Senate, replacing another esteemed Vermont Republican, fo-cused Senator Robert Stafford. In three terms in the Senate, Jim has chaired the Health, Education, Labor and Pensions Committee and the Environment and Public Works Committee.

It is customary for Members of Congress to focus on a few issues during their career. Jim is unusual because he has significant accomplishments in so many areas.

Over the course of his 30-year career in Congress, Jim has had an enormous impact on every education and job training bill, including the elementary and secondary education and the higher education reauthorization bills and the individuals with Disabilities Education Act, IDEA; every farm bill; the Northeast Interstate Dairy Compact; and every environmental protection bill, including the landmark 1990 Clean Air Act amendments that established the "cap and trade" program for sulfur dioxide that has dramatically reduced acid rain in our part of the country. Jim has also been one of the staunchest and most effective advocates for the arts, humanities, libraries, and museums. And he has been a tireless champion of the women, infants and children, WIC, nutrition program.

Back home in his beloved Vermont, he is known as ‘‘Gentleman Jim.’’ And he is a gentlemen, one of the most decent and thoughtful Members ever to have served in the Senate.

Because he is so soft-spoken and moderate, people underestimate him. Or at least they did, until he decided that President Bush and the Republican majorities in Congress were taking our country in the wrong direction.

I know that leaving the Republican Party and becoming an Independent was one of the toughest decisions Jim has ever made. But he believed it was the right thing to do, so he did it, with his characteristic humility and without any rancor.

The Senate will be a poorer place without Jim Jeffords’ expertise and civility. But as I said a moment ago, if anyone has earned the right to retire, it is Jim Jeffords.

I know he wants to get back to Vermont and help his wife Liz battle cancer. Liz lost her mother, and their son-in-law will be deployed to Iraq soon. So Jim and Liz and their family are especially in our thoughts and prayers right now.

We will miss Jim Jeffords, but history will mark his heroism and his enormous contribution to life in America. For that, we are eternally grateful.

**ADDITIONAL STATEMENTS**

**RECOGNITION OF DARLEEN HORTON**

Mr. BUNNING. Mr. President, I speak today in honor of Darleen Horton, a teacher at Chenoweth Elementary in Louisville, KY. Ms. Horton was recently selected by President Bush to receive the Presidential Award for Excellence in Mathematics and Science Teaching. Ms. Horton was chosen based on her passion for her subjects and her dedication to her students.

The Presidential Award for Excellence in Mathematics and Science Teaching identifies outstanding mathematicians and science teachers in all 50 States, the District of Columbia, Puerto Rico, the U.S. Territories and the
U.S. Department of Defense Schools. This year the awards focused on K-6th grade teachers. Each teacher receives $10,000 and a trip to our Nation’s Capital.

The requirements for this award are difficult to attain and demand a great deal of effort on the part of the teacher. It is only given to those teachers who embody excellence in teaching, demonstrate devotion to the students, and are able to uphold the high standards that exemplify American education at its finest. It recognizes the important contributions teachers make to American young people and to the promise of America’s future.

I am very proud of this Kentucky teacher’s accomplishments. Since she began teaching in 1958, she has been an inspiration to many students. In the news release concerning the Award, one of Ms. Horton’s students was quoted as saying, “Teaching is the art of making learning irresistible.” I have no doubt which teacher that student was talking about. I congratulate Ms. Horton on her ability to make learning irresistible and I thank her for the work she has done to educate the next generation of Americans.

CONGRATULATING THE AMERICAN LEGACY FOUNDATION ON RECEIVING THE EPA CHILDREN’S ENVIRONMENTAL HEALTH AWARD

Mr. DURBIN. Mr. President, I congratulate the American Legacy Foundation, a non-profit health organization dedicated to protecting the health of children, the American Legacy Foundation, on receiving the Environmental Protection Agency’s Children’s Environmental Health Award.

The widespread use of tobacco and the devastating effects of secondhand smoke create a serious environmental health risk for America’s children. Since its inception 5 years ago, the American Legacy Foundation, a non-profit organization dedicated to building a world where young people reject tobacco and anyone can quit, has worked to discourage adult and youth tobacco use and reduce the effects of secondhand smoke.

Passive exposure through secondhand smoke, or environmental tobacco smoke, puts children at risk for a range of negative health consequences including asthma, ear infections, bronchitis, reduced lung function, respiratory infection, and other chronic respiratory symptoms. According to current population survey data, 13.8 million kids ages 0 to 17 are exposed to secondhand smoke and 22 percent of pregnant women are exposed to secondhand smoke in the home. American Legacy’s campaigns and programs to reduce smoking are helping to reduce the number of young people breathing environmental tobacco smoke.

The Environmental Protection Agency is recognizing the Foundation because of its initiatives to address the negative health effects of tobacco. Outreach efforts include public awareness campaigns and initiatives designed to educate and empower youth to take action against the environmental health threat that smoking and secondhand smoke pose.

It is with great pleasure today that I commend the agency for its program of recognition and the American Legacy Foundation for its award.

RANDY WHITE: AN IDAHO HERO

Mr. CRAPO. Mr. President, many times over the past few years that our military men and women have served in Iraq and Afghanistan, we have heard the stories of combat, injury and death. Sometimes, we can lose sight of the fact that there are people here at home who put their lives on the line every day in the execution of their law enforcement duties. In September 2003, Randy White, a courageous police officer and 16-year veteran of the Minidoka County Sheriff’s Office put his life on the line to protect innocent bystanders and fellow officers from injury and death. He has demonstrated the courage required to apprehend a fugitive from an Idaho bank robbery in Jackpot, NV. Randy sustained gunshots to his abdomen and legs, one of which was at point-blank range. He still suffers from these injuries, but was extremely fortunate following his harrowing experience and has not allowed the extent of his injuries to derail his work and activities.

Randy and his wife SunDee have four children, Jared, Jordan, Michelle and Dalen. Randy is active in the LDS church in Rupert, ID, serving as a high priest group leader. He has devoted many years to the Boy Scouts, first serving as a Cub Scout Master for 10 years and then a Scout Master for 8. He now holds the position of Scout Committee Chairman. A third generation Idahoan, Randy spent 10 years on active duty with the Navy and 19 years in the Navy Reserves. His active duty time included a tour in Vietnam. Along with his devotion to his family and dedication to his job and community, he has retained his sense of humor, even in the recent trauma he experienced. He said this when asked about the shooting, “I spent two years in Vietnam and was shot at many times but never shot at by a sleepy Idaho and rural Nevada and got shot three times!” Randy is a courageous, hard-working father, husband and community leader. I wish him well as he continues his recovery, and congratulate him on his selection to be the new Rupert Chief of Police. Today, he is being awarded the FBI Shield of Bravery and Star Award in Rupert, ID. I am honored to recognize Randy’s bravery and courage today in the United States Senate, as well as the bravery and courage demonstrated by those who work tirelessly in law enforcement across our country. Randy embodies the spirit of the great State of Idaho. We are all extremely fortunate that individuals like this exceptional man we honor today protect our freedom here at home.

HONORING THE CAREER OF SECRETARY JAMES ELLENBECKER

Mr. JOHNSON. Mr. President, it is with great honor that I recognize the leadership and many achievements of South Dakota Secretary of Social Services James Ellenbecker. Secretary Ellenbecker embodies the highest qualities of public service and has deservedly earned the respect and admiration of all those who have had the opportunity to work with him. After 35 years of public service, Secretary Ellenbecker is retiring as South Dakota’s Secretary of Social Services, leaving behind an extraordinary legacy.

Secretary Ellenbecker began his career with the South Dakota government in 1970, and has since dedicated his life to serving the citizens of South Dakota. Working for the State Planning Agency and then the Department of Labor, he ultimately found himself in the Department of Social Services after providing then-Governor Bill Janklow with information he urgently needed to secure one of President Carter’s. Following their encounter, Governor Janklow appointed James Secretary of Social Services in 1980, a post he has held ever since.

During his 35 year tenure as secretary, under the leadership of four different governors, Secretary Ellenbecker played a vital role in enhancing South Dakota’s Social Services infrastructure. As head of one of the largest and most complex agencies in the state, he promoted innovations which significantly enhanced its treatment of the elderly, children and single parent families. His influence on South Dakota’s 1988 Elderly Initiative resulted in a responsive, efficient, and cost-effective long term care system for the elderly, thus easing the burdens many families face both financially and emotionally. Under this new plan, more aged residents could live at home and maintain their independence.

Secretary Ellenbecker is also responsible for transforming South Dakota’s welfare program. As a result of his vision and dedication, South Dakota has one of the most successful child support programs in the country. His approach of serving the citizens of South Dakota gained access to health care as a result of Secretary Ellenbecker’s diligent management of South Dakota’s medical services program.

I had the privilege of working with Secretary Ellenbecker during my years of service in the South Dakota Legislature. Throughout my years in Congress, when constituents contacted my office with issues involving the South Dakota Department of Social Services, I could always rely upon Secretary
Ellenbecker to provide a thorough review of the situation and supply a detailed response to my questions and the issues raised by the constituents. I appreciated his willingness to share insight into issues affecting his department and to coordinate briefings with my staff. Numerous South Dakotans and their families have benefited over the years from our working partnership, and I commend his tireless dedication to his agency and to the people of South Dakota.

I am proud to share Secretary Ellenbecker’s accomplishments with my colleagues, and I publicly commend him for his hard work. His example of dedication and professional excellence will serve as an inspiration to his agency and to the people of North Dakota. I wish him the very best, along with his wife Kathy and their two children, Bradley and Ryon.●

MR. PAUL HEMMER

● Mr. BUNNING. Mr. President, I pay tribute and congratulate Mr. Hemmer for his leadership in Northern Kentucky. He was recently honored with one of the “Movers and Shakers” awards for the Greater Cincinnati area. Mr. Hemmer’s life accomplishments and dedication to the Commonwealth of Kentucky have given me reason to be proud.

Following his graduation from Saint Xavier High School, Mr. Hemmer entered the University of Cincinnati where he later earned his Bachelor of Science in Civil Engineering. He has held a variety of positions within the construction industry including general contracting, development, design/build, and plan/spec with experience in the industrial, institutional, commercial, and residential fields. His is currently retired as the chairman of Paul Hemmer Companies.

Throughout his life, Mr. Hemmer has always been active in civic affairs in Northern Kentucky. He has been an integral part of his community serving as director for the Northern Kentucky Chamber of Commerce, a trustee for Thomas More College, a trustee for the Literacy Network of Greater Cincinnati, and the United Way chairman for Northern Kentucky.

The “Movers and Shakers” award of Northern Kentucky is an annual award presented to honor those within the Greater Cincinnati region who stand as an example for all. It is presented by the Kentucky Enquirer, the Sales and Marketing Council of Northern Kentucky, The Home Builders Association of Northern Kentucky and The Kentucky Post.

As a Senator from Kentucky, I appreciate the devotion Mr. Hemmer has shown over the years to the citizens of Kentucky. I commend his efforts and hope his example of dedication and hard work will serve as an inspiration to the entire State.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 670. A bill to prohibit energy market manipulation.

S. 971. A bill to amend title 10, United States Code, to ensure that the strength of the Armed Forces and the protections and benefits for members of the Armed Forces and their families are adequate for keeping the commitment of the people of the United States to their servicemembers, and for other purposes.

S. 98. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property.

S. 973. A bill to amend title XVIII of the Social Security Act to reduce a meaningful benefit and lower prescription drug prices under the medicare program.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

S. 974. A bill to establish a national health program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SARBANES (for himself, Mr. ALEXANDER, Mr. AKAKA, Mrs. BOXER, Mr. CORZINE, Mr. DODD, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEVIN, Mr. SALAZAR, Mr. SCHUMER, Ms. STABENOW, and Mr. WYDEN):

S. 980. A bill to provide for alternative transportation in certain federally owned or managed areas that are open to the general public; to the Committee on Energy and Natural Resources.

By Mr. HAGEL:

S. 981. A bill to extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska; to the Committee on Energy and Natural Resources.

By Mr. NELSON of Florida:

S. 982. A bill to designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs, Florida, as the Key Miastropa Post Office Building; "to the Committee on Homeland Security and Governmental Affairs.●

ADDITIONAL COSPONSORS

S. 420. At the request of Mr. KYL, the name of the Senator from Wyoming (Mr. Enzi) was added as a cosponsor of S. 420, a bill to make the repeal of the estate tax permanent.

S. 577. At the request of Ms. COLLINS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 577, a bill to promote health care coverage for individuals participating in legal recreational activities or legal transportation activities.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SARBANES (for himself, Mr. ALEXANDER, Mr. AKAKA, Mrs. BOXER, Mr. CORZINE, Mr. DODD, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEVIN, Mr. SALAZAR, Mr. SCHUMER, Ms. STABENOW, and Mr. WYDEN):

S. 980. A bill to provide for alternative transportation in certain federally owned or managed areas that are open to the general public; to the Committee on Energy and Natural Resources.

Mr. SARBANES. Mr. President, today is Earth Day, founded 35 years ago to celebrate our natural world and encourage efforts to protect its future. As part of that effort, I am introducing today legislation similar to measures I have introduced in previous Congresses that will help protect our Nation’s natural resources and improve the visitor experience in our national parks and other public lands. The Transit in Parks Act, or TRIP, establishes a new Federal transit grant initiative to support the development of alternative transportation services for our national parks, wildlife refuges, Federal recreational areas, and other public lands. I am pleased to be joined by Senators ALEXANDER, AKAKA, BOXER, CORZINE, DODD, FEINSTEIN, KENNEDY, LAUTENBERG, LEVIN, SALAZAR, SCHUMER, STABENOW, and WYDEN, who are cosponsors of this legislation.

Over the last several years, both the Administration and the Congress have demonstrated support for transit in the parks by including either the TRIP Act or a similar initiative in their proposals for the reauthorization of the Transportation Equity Act for the 21st Century. In fact, the Transit in Parks program was included in the reauthorization bill that passed the Senate by an overwhelming vote during the last Congress. Unfortunately, that legislation was not completed by the House-Senate conference committee before the end of the Congress, and will have to be taken up anew during the current session.

It is in this context that I want to underscore again today some of the principal arguments I have made in past years as to why this legislation is urgently needed. Every year, millions of visitors head to our national parks to enjoy the incredible natural heritage with which our Nation was endowed. But too many of them will spend long hours looking for parking, or staring at the bumper of the car in front of them.

Clearly, the world has changed significantly since the national parks first opened in the second half of the nineteenth century, when visitors arrived by stagecoach along dirt roads. At that time, travel through parklands, such as Yosemite or Yellowstone, was long, difficult, and costly. Not many people could afford or endure such a trip. The introduction of the automobile gave everyone greater mobility and freedom, which included the freedom to travel and see some of our Nation’s great natural
wonders. Early in this century, landscape architects from the National Park Service and highway engineers from the U.S. Bureau of Public Roads collaborated to produce many feats of road engineering that opened the national park lands to millions of Americans. Yet greater mobility and easier access now threaten the very environments that the National Park Service is mandated to protect. The ongoing tension between preservation and access has always been a challenge for our national park system. Today, record numbers of visitors and cars have resulted in increasing damage to our national park lands. Today, record numbers of visitors and cars have resulted in increasing damage to our national park lands.

During the peak summer season, the entrance route becomes a busy highway. During the peak summer season, the entrance route becomes a busy highway. With as many as 6,100 vehicles entering the South Rim area in a single summer day, they compete for 1,392 spaces in the Village area. About 150 commercial tour buses enter the South Rim on a typically busy day. During the peak summer season, the entrance route becomes a giant parking lot.

In 1975, the total number of visitors to America's national parks was 190 million. By 2003, that number had risen to 266 million annual visitors—almost equal to the number of women, men, and child in this country. This dramatic increase in visitation has created an overwhelming demand on these areas, resulting in severe traffic congestion, visitor restrictions, and in some instances, vacations being shut down. This national, cultural, and historical heritage is threatened.

Visitor access to the parks is vital not only to the parks themselves, but to the economic health of their gateway communities. For example, tourists to Yellowstone spend more than $300 million a year into the local economy, which supports almost 9,000 jobs. At Yellowstone, tourists spend more than $300 million annually, which supports more than 6,000 jobs in the park and in adjacent communities. If the park is forced to close its gates to visitors due to congestion, the economic vitality of the surrounding region would be jeopardized.

The challenge for park management has always been twofold: to conserve and protect the Nation’s natural, historical, and cultural resources, while at the same time ensuring visitor access and enjoyment of these sensitive environments. Until now, the principal transportation systems that the Federal government has developed to provide access into our national parks are roads, primarily for private automobile access. The TRIP legislation recognizes that we need to do more than simply build roads; we must invest in alternative transportation solutions before our national parks are damaged beyond repair.

In developing solutions to the parks’ transportation needs, this legislation builds upon a 1997 Memorandum of Understanding between Secretary of Transportation Rodney Slater and Secretary of the Interior Bruce Babbitt, in which the two Departments agreed to cooperate on transportation, protection of the resource, and resource management needs in and around national parks. The findings in the MOU are especially revealing: Congestion in and approaching many National Parks is causing lengthy traffic delays and backups that substantially detract from the visitor experience. Visitors find that many of the National Parks contain significant noise and air pollution, and traffic congestion similar to that found on the city streets they left behind.

In many units, the capacity of parking facilities at interpretive or scenic areas is well below demand. As a result, visitors park along roadsides, damaging park resources and subjecting people to hazardous safety hazards. In addition, visitors are forced to walk near busy roads to access visitor use areas.

On occasion, National Park units must close their gates during high visitation periods and turn away the public because the existing infrastructure cannot handle the volume. The National Park Service is mandated to protect. The ongoing tension between preservation and access has always been a challenge for our national park system. Today, record numbers of visitors and cars have resulted in increasing damage to our national park lands. Today, record numbers of visitors and cars have resulted in increasing damage to our national park lands.

The TRIP legislation is designed to implement the recommendations from a comprehensive study of alternative transportation needs in public lands that I was able to include in the Transportation Equity Act for the 21st Century, TEA-21, as section 3039. The Federal Lands Alternative Transportation Systems Study confirmed what those of us who have visited our national parks already know: there is a significant and well-documented need for alternative transportation solutions in the national parks to prevent lasting damage to these incomparable natural treasures.

The study examined over 200 sites, and identified needs for alternative transportation services at two-thirds of those sites. The study found that implementation of such services can help reduce pollution; and improve the visitor experience. The program will provide capital funds for transit projects, including rail or clean fuel bus projects, joint development activities, pedestrian and bike paths, or park waterway access, within or adjacent to national parks and other public lands. The Secretary of Transportation may make funds available for operations as well. The bill authorizes $90 million for this new program for each of the fiscal years 2005 through 2010, consistent with the amount the Secretary estimated in the study. It is anticipated that other resources—both public and private—will be available to augment these amounts.

The bill formalizes the cooperative arrangement outlined in the 1997 MOU between the Secretary of Transportation and the Secretary of the Interior to exchange technical assistance and to develop procedures relating to the planning, selection, and funding of transit projects in national park lands. The bill further provides funds for planning, research, and technical assistance that can supplement other financial resources available to the Federal land management agencies. The projects eligible for funding would be developed through the transportation planning process and prioritized for funding by the Secretary of the Interior in consultation and cooperation with the Secretary of Transportation. It is anticipated that the Secretary of Transportation will select projects that are diverse in location and size. While major national parks such as the Grand Canyon or Yellowstone are...
S. 890

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Transit in Parks Act” or the “TRIP Act”.

SEC. 2. FEDERAL LAND TRANSIT PROGRAM.

(a) In General.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5315 the following:

15316. Federal land transit program

(a) FINDINGS AND PURPOSES.—

(A) FINDING.—Congress finds that—

(A) section 3039 of the Transportation Equity Act for the 21st Century (23 U.S.C. 138 note; Public Law 105-178) required a comprehensive study to be conducted by the Secretary of Transportation, in coordination with the Secretary of the Interior, of alternative transportation needs in national parks and related public lands in order to—

(i) identify the transportation strategies that improve the management of national parks and related public lands; 

(ii) identify national parks and related public lands that have existing and potential problems of adverse impact, high congestion, pollution, or that can otherwise benefit from alternative transportation modes;

(iii) assess the feasibility of alternative transportation modes; and

(iv) identify the costs of those alternative transportation modes;

(B) the study found that many federally-managed sites are experiencing very high visitation levels that are continuing to increase and that there are significant transit needs at many of these sites;

(C) the study concluded that implementing transit on federally-managed land can help—

(i) reduce traffic congestion and parking shortages;

(ii) enhance visitor mobility and accessibility;

(iii) preserve sensitive natural, cultural, and historic resources;

(iv) provide improved interpretation, education, and visitor information services;

(v) reduce pollution; and

(vi) improve economic development opportunities for gateway communities;

(D) the Department of Transportation can assist the Federal land management agencies through financial support and technical assistance in the achievement of national goals described in subparagraph (C); and

(E) immediate financial and technical assistance by the Department of Transportation, in coordination with participating Federal land management agencies and State and local government authorities to develop efficient and coordinated alternative transportation systems within and near the vicinity of eligible areas, is essential to—

(i) protect and conserve natural, historical, and cultural resources;

(ii) prevent or mitigate adverse impacts on those resources;

(iii) relieve congestion; and

(iv) minimize transportation fuel consumption;

(v) reduce pollution (including noise pollution and visual pollution); and

(vi) enhance visitor mobility, accessibility, and the visitor experience;

and

(F) it is in the interest of the United States to encourage and promote the development of transportation systems for the betterment of eligible areas to meet the goals described in clauses (i) through (vi) of subparagraph (E).

(b) PURPOSES.—The purposes of this section are—

(A) to develop a cooperative relationship between the Secretary of Transportation and the Secretary of the Interior to carry out this section;

(B) to encourage the planning and establishment of alternative transportation systems and nonmotorized systems needed within and in the vicinity of eligible areas, located in both urban and rural areas, that—

(i) enhance resource protection;

(ii) prevent or mitigate adverse impacts on those resources;

(iii) improve visitor mobility, accessibility, and the visitor experience;

(iv) reduce pollution and congestion;

(v) conserve energy; and

(vi) increase coordination with gateway communities;

(C) to assist Federal land management agencies and State and local governmental authorities in financing area-wide alternative transportation systems and nonmotorized transportation systems to be operated by public or private alternative transportation providers, as determined by local and regional needs, and to encourage public-private partnerships; and

(D) to assist in research concerning, and development of, improved alternative transportation equipment, facilities, techniques, and methods with the cooperation of public and private companies and other entities engaged in the provision of alternative transportation service.

(b) DEFINITIONS.—In this section:

(1) ALTERNATIVE TRANSPORTATION.—

(A) IN GENERAL.—The term ‘‘alternative transportation’’ means transportation by bus, rail, or any other publicly or privately owned conveyance that provides to the public general or special service on a regular basis.

(B) ELIGIBLE AREA.—The term ‘‘eligible area’’ means any Federally owned or managed park, refuge, or recreational area that is open to the general public.

(2) INCLUSIONS.—The term ‘‘eligible area’’ includes—

(i) a unit of the National Park System;

(ii) a unit of the National Wildlife Refuge System;

(iii) an area designated as a wilderness area; and

(iv) a recreational area by the Bureau of Land Management.

(3) FEDERAL LAND MANAGEMENT AGENCY.—The term ‘‘Federal land management agency’’ means a Federal agency that manages an eligible area.

(4) QUALIFIED PARTICIPANT.—The term ‘‘qualified participant’’ means—

(A) a Federal land management agency; or

(B) a State or local governmental authority with jurisdiction over land in the vicinity of an eligible area acting with the consent of the Federal land management agency, alone or in partnership with a Federal land management agency or other governmental or nongovernmental participant.

(5) QUALIFIED PROJECT.—The term ‘‘qualified project’’ means a planning or capital project in or in the vicinity of an eligible area that—

(A) is an activity described in section 5302(a)(i), 5305(b), or 5306(a)(1)(A);

(B) involves—

(i) the purchase of rolling stock that incorporates clean fuel technology or the replacement of buses of a type in use on the date of enactment of this section with clean fuel vehicles; or

(ii) the deployment of alternative transportation vehicles that introduce innovative technologies or methods;

(C) to assist in research concerning, and development of, improved alternative transportation equipment, facilities, techniques, and methods with the cooperation of public and private companies and other entities engaged in the provision of alternative transportation service.

(C) RELATION TO OTHER PROGRAMS.—Nothing in this section shall affect the authority of the Secretary to enforce or administer any other Federal law or program.

SEC. 3. FEDERAL LAND TRANSIT PROGRAM AUTHORIZATIONS.

(a) IN GENERAL.—The Secretary—

(A) shall ensure that the purposes described in section 2 are achieved;

(B) shall take any action, consistent with the purposes described in section 2, that is necessary to ensure that the purposes described in such section are achieved.

(b) INCLUSIONS.—In this section:

(1) ALTERNATIVE TRANSPORTATION.—

(A) IN GENERAL.—The term ‘‘alternative transportation’’ means—

(i) a unit of the National Park System;

(ii) a unit of the National Wildlife Refuge System;

(iii) an area designated as a wilderness area; and

(iv) a recreational area by the Bureau of Land Management.

(B) ELIGIBLE AREA.—The term ‘‘eligible area’’ means any Federally owned or managed park, refuge, or recreational area that is open to the general public.

(2) INCLUSIONS.—The term ‘‘eligible area’’ includes—

(i) a unit of the National Park System;

(ii) a unit of the National Wildlife Refuge System;

(iii) a recreational area managed by the Bureau of Land Management.

(3) FEDERAL LAND MANAGEMENT AGENCY.—The term ‘‘Federal land management agency’’ means a Federal agency that manages an eligible area.

(4) QUALIFIED PARTICIPANT.—The term ‘‘qualified participant’’ means—

(A) a Federal land management agency; or

(B) a State or local governmental authority with jurisdiction over land in the vicinity of an eligible area acting with the consent of the Federal land management agency, alone or in partnership with a Federal land management agency or other governmental or nongovernmental participant.

(5) QUALIFIED PROJECT.—The term ‘‘qualified project’’ means a planning or capital project in or in the vicinity of an eligible area that—

(A) is an activity described in section 5302(a)(i), 5305(b), or 5306(a)(1)(A);

(B) involves—

(i) the purchase of rolling stock that incorporates clean fuel technology or the replacement of buses of a type in use on the date of enactment of this section with clean fuel vehicles; or

(ii) the deployment of alternative transportation vehicles that introduce innovative technologies or methods;

(C) relates to the capital costs of coordinating the Federal land management agency

SEC. 4. FEDERAL LAND TRANSIT PROGRAM DUTIES.

(a) IN GENERAL.—The Secretary shall—

(i) take any action, consistent with the purposes described in section 2, that is necessary to ensure that the purposes described in such section are achieved;

(ii) take action to natio
alternative transportation systems with other alternative transportation systems;

"(D) provides a nonmotorized transportation system (including the provision of facilities for foot travel, bicycles, and nonmotorized watercraft);

"(E) provides waterborne access within or in the vicinity of an eligible area, as appropriate, consistent with the purposes described in subsection (a)(2); or

"(F) is any other alternative transportation project that the

Secretary of Transportation may prescribe limiting the grant

funds appropriated to any Federal land management

agency resource management;

"(iv) improves visitor mobility and accessibility and the visitor experience;

"(v) reduces emissions and pollution (including noise pollution and visual pollution); and

"(vi) conserves a natural, historical, or cultural resource (excluding rehabilitation or restoration of a nontransportation facility).

"(6) SECRETARY.—The term "Secretary" means the Secretary of Transportation.

"(c) FEDERAL AGENCY COOPERATIVE ARRANGEMENTS.—The Secretary shall develop cooperative arrangements with the

Secretary of the Interior that provide for

cooperative arrangements with the Sec-

cretary of the Interior or any other Federal land management agency or other Federal agency agreement, interagency agreement, or other agreement for a

qualified project under this section.

"(2) The qualified participant shall prepare a

departmental share of the net project cost of a qualified project, including the provision of contract services, joint development activities, and the use of innovative financing mechanisms;

"(C) private investment in the qualified project;

"(D) the clear and direct benefit to the

qualified participant; and

"(E) any other matters that the Secretary

considers appropriate to carry out this section.

"(3) NONDEPARTMENTAL SHARE.—Notwith-

standing any other provision of law, Federal land management agency resources appropriated to any Federal land management agency may be counted toward the nondepartmental share of the cost of a qualified project.

"(4) SELECTION OF QUALIFIED PROJECTS.—

"(1) IN GENERAL.—The Secretary shall consider

visitation levels; the statewide planning provisions under section 5307; and

the public participation requirements under section 5307(v).

"(2) CONSIDERATIONS.—In establishing the

departmental share of the net project cost of a qualified project, the Secretary shall consider

"(A) the amount of interest earned and payable on bonds issued by a State or local governmental authority, to the extent that proceeds of the bond are expended in carrying out that part;

"(B) the location of the qualified project to ensure that there is a balanced distribution;

"(C) the size of the qualified project, to en-

sure that there is a balanced distribution; and

"(D) the historical and cultural signifi-

cance of a qualified project.

"(E) safety;

"(F) the extent to which the qualified project would

enhance livable communities;

"(ii) reduce pollution (including noise pol-

lution, air pollution, and visual pollution);

"(iii) reduce congestion;

"(iv) improve the mobility of people in the most efficient manner; and

"(G) any other matters that the Secretary

considers appropriate to carry out this section, including—

"(i) visitation levels;

"(ii) the use of innovative financing or joint development structures; and

"(iii) coordination with gateway commu-

nities.

"(l) INNOVATIVE FINANCING PROJECTS CARRIED OUT IN ADVANCE.—

"(1) IN GENERAL.—When a qualified partici-

pant carries out any part of a qualified project without assistance under this section in accordance with all applicable procedures and requirements, the Secretary may pay the departmental share of the net project cost of a qualified project if

"(A) the qualified participant applies for the payment;

"(B) the Secretary approves the payment; and

"(C) before carrying out that part of the qualified project, the Secretary approves the plans and specifications in the same manner as plans and specifications are approved for other projects assisted under this section.

"(2) INTEREST.—The rate of interest under this paragraph may not exceed the

most favorable rate reasonably available for the

qualified project at the time of bor-

rowing.

"(3) Certification.—The qualified partici-

pant shall certify, in a manner satisfactory to the Secretary, that the qualified partici-

pant has exercised reasonable diligence in seeking the most favorable interest rate.

"(4) FULL FUNDING PROJECT MANAGEMENT PLAN.—If the amount of assist-

ance anticipated to be required for a quali-

fied project under this section is more than $25,000,000,

"(l) the qualified project shall, to the ex-

tent that the Secretary considers appro-

priate, be carried out through a full funding agreement in accordance with section

5309(g); and

"(2) the qualified participant shall prepare a

project management plan in accordance with section

5309(f).

"(5) RELATIONSHIP TO OTHER LAWS.—Qualified participants shall be subject to—

"(1) the requirements of section 5333;

"(2) to the extent that the Secretary deter-

mines to be appropriate, requirements con-

sistent with those under subsections (d) and (1) section 5307; and

"(3) any other terms, conditions, require-

ments, and provisions that the Secretary de-

termines to be appropriate to carry out this section, including requirements on the dis-

tribution of proceeds on disposition of real property and equipment resulting from a qualified project assisted under this section.

"(6) INNOVATIVE FINANCING.—A qualified project assisted under this section shall be eligible for funding through a State Infrastructure Bank or other innovative financing mechanism otherwise available to finance an eligible project under this chapter.

"(7) PLANNING PROCESS.—In undertaking a qualified project under this section—
This section provides that the Secretary of Transportation, in cooperation with the Secretary of the Interior, must consider certain factors, including visitation levels and user fee revenues, in prioritizing alternative transportation projects for funding, and may not fund projects that benefit the qualified participant in a manner that would otherwise preempt use of federal funds for transportation projects. This section further provides that the Department of Transportation shall ensure that any funds from the Federal land transit program are made available for planning, construction, and coordination, and the establishment of a Federal land transit program, which includes the development of alternative transportation systems in the national parks and other public lands identified in section 5321, or 5316 of TEA-21, by establishing Federal assistance to finance the replacement of alternative transportation systems in the national parks and other public lands. This section also requires the Secretary to conduct a coordinated, interagency process to identify and prioritize alternative transportation systems in the national parks and other public lands, to increase coordination with gateway communities, to encourage public-private partnerships, and to develop and deploy improved alternative transportation equipment and methods. The section also requires the Secretary to coordinate with the National Park Service, the U.S. Fish and Wildlife Service, and the Bureau of Land Management, and any other appropriate public land management agency, to ensure that projects located in national parks and other public lands are consistent with the general public interest, and do not conflict with federal law or policy, and do not conflict with the national parks and other public lands. This section further provides that the Secretary of Transportation, in cooperation with the Secretary of the Interior, may concurrently develop a planning process consistent with TEA-21 for qualified participants which are Federal land management agencies. This section also requires the Secretary to coordinate with the local governments and the qualified participant to establish a cooperative agreement, and to conduct a joint development strategy to ensure the broad distribution of funds, no project can receive more than 12% of the total amount available under this section in any given year. This section also requires the Secretary to ensure that a broad distribution of federal funds is achieved. This section also requires the Secretary to ensure that a broad distribution of federal funds is achieved.
from a State Infrastructure Bank or other innovative financing mechanism that is available to fund other eligible transit projects.

Section 15. Asset management
This provision permits the Secretary of Transportation to transfer control over a transit asset acquired with Federal funds under this section to a qualified governmental entity in accordance with certain Federal property management rules.

Section 16. Coordination of research and deployment of new technologies
This provision allows the Secretary, in cooperation with the Secretary of Transportation, to enter into grants or other agreements for research and deployment of new technologies to meet the special needs of eligible areas under this Act.

Section 17. Report
This section requires the Secretary of Transportation to submit a report on projects funded under this section to the House Transportation and Infrastructure Committee and the Senate Banking, Housing, and Urban Affairs Committee, to be included in the Department’s annual project report.

Section 18. Authorization
$90,000,000 is authorized to be appropriated for the Secretary to carry out this program for each of the fiscal years 2005 through 2010.

Section 19. Conforming amendments
Conforming amendments to the transit title, including an amendment to allow 0.5% per year of the funds made available under this section to be used for project management oversight.

Section 20. Technical amendments
Technical corrections to the transit title in TEA-21.

April 21, 2005.

HON. PAUL SARBANES,
309 Hart Office Building,
Washington, DC.

DEAR SENATOR SARBANES: The undersigned organizations want to thank you for introducing the Transit in Parks Act that will enhance transit options for access to and within our public lands. We applaud your leadership and acknowledging the critical role that mass transit can play in protecting our public lands and improving the visitor experience.

Visitation to America’s public lands has skyrocketed during the past two decades. The national parks, for example, have seen their visitor increases from 190 million visitors in 1975 to approximately 277 million visitors last year. Increased public interest in these special places has placed substantial burdens on the very resources that draw people to these lands. As more and more individuals crowd into our public lands—typically by automobile—fragile habitat, endangered plants and animals, unique cultural treasures, and spectacular natural resources and vistas are being damaged from air and water pollution, noise intrusion, and inappropriate use.

As outlined in your legislation, the establishment of a program within the Department of Transportation dedicated to enhancing transit options in and adjacent to public lands will have a powerful, positive effect on the future ecological and cultural integrity of these areas. Your initiative will boost the role of alternative transportation solutions for many people, particularly those most heavily impacted by visitation such as Yellowstone-Grand Teton, Yosemite, Grand Canyon, and the Great Smoky Mountains.

I applaud you for writing the legislation, and look forward to continuing to work with you and your staff. Please let us know what we can do to help your initiative!

Sincerely yours,
WILLIAM W. MILLAR,
President,

HON. PAUL SARBANES,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR SARBANES: On behalf of the more than 500,000 members of the Natural Resources Defense Council, I am writing to support your Transit in Parks Act. Many of our national parks are facing the impacts of too many automobiles: traffic congestion, air and water pollution, and disturbance of natural ecosystems resulting in both the degradation of natural and cultural resources and the visitor’s experience.

Providing dedicated funding for transit projects in national parks is something the NRDC has long supported, and this provision to do so is a priority solution to these problems in the National Park System.

It is essential in many parks to get visitors out of their automobiles and into active and effective transit services to and within national parks. A sound practical system will improve the visitor’s experience—making it more convenient and enjoyable for families and visitors of all ages.

Better transit is critical to diversifying transportation choices and providing better access for the benefit of all park visitors. Air pollutants from automobiles driven by visitors can exacerbate respiratory health problems, damage vegetation, and contribute to haze that too often obscures vistas.

And the more we get people into public transit and out of their individual cars, the more energy will be conserved. Lastly, a positive travel experience will invite and encourage visitors to visit the parks that can serve them at home too, which should provide the indirect benefit of higher ridership on other transit systems.

Through the years, Federal transit program funding has generally worked to the benefit of the nation’s most valuable land. As driving increases in parks and on our roadways, it is crucial to find ways to use existing infrastructure more efficiently and to reduce the impacts of transportation on these vital and sensitive lands.

We commend and thank you for your dedication to leading the Charge to include this important provision generally to the protection of our national parks. Please look to us to help you establish better public transit in our national parks.

Sincerely,

CHARLES M. CLUSEN,
Senior Policy Analyst,

AMALGAMATED TRANSIT UNION,
OFFICE OF THE INTERNATIONAL PRESIDENT,
Washington, DC, April 12, 2005.

HON. PAUL SARBANES,
Ranking Member, Senate Committee on Banking, Housing, and Urban Affairs, Dirksen Senate Office Bldg., Washington, DC.

DEAR SENATOR SARBANES: On behalf of the more than 180,000 members of the Amalgamated Transit Union (ATU), the largest labor organization representing mass transit, over-the-road, and school bus drivers in the United States and Canada, I am writing to express our strong support for the “Transit in Parks Act” (TRIP), which would provide increased funding for public transportation in national parks and other public lands.

The legislation begins to address the major congestion and environmental issues that currently exist in U.S. National Parks from coast to coast.

Through the years, various types of programs have enabled public transportation providers to assist urban communities to
significantly reduce congestion and improve air quality by investing in mass transit, either bus or rail. Like you, we believe that this can also be achieved in our national parks, which during peak months become the equivalent of American cities, inundated with hundreds of millions of visitors each year. Therefore, ATU supports the adoption of the Transit in Parks Act as part of TEA 21’s reauthorization.

We would welcome the opportunity to discuss other mass transit issues with you or your staff at any time. As always, thank you for your continuous support of the people who proudly provide public transportation services at several national parks.

Sincerely, 

DALE J. MARSICO, CCTM, Executive Director.

AUTHORITY FOR COMMITTEES TO MEET

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities be authorized to meet during the session of the Senate on April 22, 2005, at 9:30 a.m., in open and closed session to receive testimony on U.S. Special Operations Command in review of the defense authorization request for fiscal year 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS—MOTION TO PROCEED

MR. BENNETT. Mr. President, I now move to proceed to Calendar No. 69, H.R. 3, the highway bill, and I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the chair directs the clerk to read the motion.

The assistant legislative clerk reads the following:

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. 69, H.R. 3, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Bill Frist, John Warner, Lindsey Graham, Craig Thomas, Mike DeWine, Richard Burr, Susan Collins, Johnny Isakson, James Inhofe, Gordon Smith, Pete Domenici, Thad Cochran, John Thune, Orrin Hatch, Chuck Grassley, David Vitter, Mitch McConnell.

Mr. BENNETT. Mr. President, I ask unanimous consent that the live quorum be waived and the vote occur at 11:45 a.m. on Tuesday, April 26.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—S. 870, S. 871, S. 872, S. 873, AND S. 874

Mr. BENNETT. Mr. President, I understand there are five bills at the desk that are due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills for a second time.

The assistant legislative clerk reads as follows:

A bill (S. 870) to prohibit energy market manipulation.

A bill (S. 871) to amend title 10, United States Code, to ensure that the strength of the Armed Forces and the protections and benefits for members of the Armed Forces and their families are adequate for keeping the commitment of the people of the United States to support their servicemembers, and for other purposes.

A bill (S. 872) to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property.

A bill (S. 873) to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the medicare program.

A bill (S. 874) to establish a national health program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes.

Mr. BENNETT. Mr. President, in order to place the bills on the calendar under provisions of rule XIV, I object to further proceeding.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

ORDERS FOR MONDAY, APRIL 25, 2005

Mr. BENNETT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m. on Monday, April 25. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of the motion to proceed to H.R. 3, the highway bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO FILE STATEMENTS UNTIL 12 P.M. NOON

Mr. BENNETT. I further ask unanimous consent that notwithstanding the adjournment of the Senate, Senators be permitted to submit statements for the RECORD until 12 p.m. noon today.

The PRESIDING OFFICER. Without objection, it is so ordered.

APRIL 21, 2005

Hon. Paul S. Sarbanes, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR SARBANES: The Community Transportation Association continues to support your efforts to provide alternative transportation strategies in our national parks and other public lands. Our association’s 7,500 members provide public and community transportation services in many of the smaller communities that border these national parks, monuments, and recreational areas, and our association has members actively involved in providing public transportation services at several national parks.

All of us know the danger that congestion and increases in traffic pose for the future of these sites and locations. Your continuous sponsorship of the Transit in Parks Act is an important step in helping ensure that America’s natural beauty and historic treasures remain a continuous part of our nation’s future. We have members throughout the country whose experiences support the principle that public transit investments in and near national parks and public lands can improve mobility, support the economic vitality of these parks “gateway communities,” and make national park improvements in the experiences of park visitors, employees, and community residents alike.

We appreciate your dedicated efforts and initiative in this regard, and look forward to helping you advance this important piece of legislation.

Sincerely,

WARREN S. GEORGE, International President.

DALE J. MARSICO, CCTM, Executive Director.

CONGRESSIONAL RECORD—SENATE

S4157

APRIL 22, 2005
In his own life, he overcame blindness, poverty, racial discrimination, and personal fail-
ures, including drug abuse, to become a bea-
on of hope for anyone faced with challenges of any kind.
Ray Charles deserves to have a post office named after him, and more. I have introduced legis-
tion that would award him the Congressional Gold Medal for his lifetime of achieve-
ment and service to the world community. I hope Congress supports this legislation and
continues to honor this great man.

TRIBUTE TO UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN

HON. TIMOTHY V. JOHNSON
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today to pay tribute to the University of Illinois at Urbana-Champaign. Many people have re-
cently seen and heard a lot of well deserved praise for the university's men's basketball team as Coach Bruce Weber guided the team to a record tying 37–2 record and place in the National Championship game. The season brought a great sense of pride to me, my staff, the university, the Urbana-Champaign commu-
nity, and State as a whole. This praise was not only as a result of the great accomplish-
ments of the team, but the manner in which the team went about achieving its goals. The players played with such heart and determina-
tion, all the while truly playing unselfishly as one cohesive unit, not as individual players. I would ask my colleagues to take this oppor-
tunity to congratulate and honor Coach Weber, his staff, and the young men who put on the uniforms and played the game the way it was meant to be played.

While many Americans may have first been exposed to the university during this special basketball season, I have had the distinct privilege to represent the university for almost 30 years; first as a State Representative and now as a Congressman from the 15th District of Illinois. I would therefore like to rise today to also pay tribute and bring recognition to the other highly successful athletic programs and the highly recognized and honored academicians at the university.

Mr. Speaker, this year alone the university has been honored to be represented by the nationally ranked No. 3 men’s tennis team, the No. 3 men’s gymnastics team, the No. 6 men’s wrestling team, the No. 14 women's soccer team, and the No. 20 women’s cross country team. Let me take this time to honor and thank Coach Craig Tiley, Coach Yoshi Hayasaki, Coach Mark Johnson, Coach Janet Rayfield, Coach Karen Harvey, and all of the young men and women who have strived for greatness and brought a great deal of pride to me, my staff, the Urbana-Champaign commu-
nity, and the university.

While these are all great accomplishments, without the same degree of success in the
academic realm, these feats would all be for naught. I am proud to say that the university, President B. Joseph White, Director of Ath-
etics Ron Guenther, the faculty, the coaches, and the students at the University of Illinois have all helped make this one of the top aca-
demic institutions in the world and its graduates some of the most successful. In 2004 U.S. News & World Report ranked many un-
dergraduate programs at Urbana-Champaign campus in their Top 10 in the country, includ-
ing: accountancy, 1st, materials science, 1st, civil engineering, 2nd, computer engineering, 5th, real estate, 7th, and marketing, 10th. In 2003, the University of Illinois earned the distinc-
tion of being the only U.S. public university to have two of its faculty members, Anthony J. Leggett, physics, and Paul C. Lauterbur, medi-
cine, win Nobel prizes in the same year. The list of distinguished alumni is far too long to in-
clude here, but it includes: CEO's, government officials, world class researchers, astronauts, and Pulitzer Prize winners, to name a just a few.

Mr. Speaker, I rise today to pay tribute to everyone who is involved in the University of Illinois and to thank them for their dedication, hard work, and vision to make the 15th Con-
gressional District, the State of Illinois, the Na-
ton, and the world as a whole a better place to live for all of us.


Speech of

HON. SHEILA JACKSON-LEE
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 20, 2005

Ms. JACKSON-LEE of Texas. Mr. Speaker, today I speak with mixed emotions, while pas-
sage of a comprehensive energy bill is impor-
tant, there is still work to be done on the bill before us. Please do not misunderstand me, there are good aspects to the bill. For exam-
ple, the bill provides for much needed ad-
vances in energy efficiency, renewable en-
ergy, and nuclear. While I understand the ra-
tionale behind a structured rule, it is unfortu-
nate, that all the amendments offered could
not be ruled in order. This would have allowed for much needed debate in our attempt to
solve our Nation’s energy crisis. In our efforts
to pass a comprehensive bill, we must not
overlook the importance of keeping dialogue open on all fronts.

I would like to take a moment to mention my essential amendments that were not ruled in
order. My first amendment would have re-
quired that a report be submitted, every two
years, to Congress by the Secretary of the In-
terior, in consultation with other appropriate
Federal agencies, assessing the contents of
natural gas and oil deposits at existing drilling sites off the coast of Louisiana and Texas. This amendment should have been ruled in

This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
order because new supplies are vital to long-term economic stability and to current and future employment. Exploration of the Western Gulf of Mexico will permit access to one of our largest sources of oil.

Among other things my second amendment was designed to factor in the price of transportation fuels will not continue to pose significant impediments to budget planning for consumers, businesses, and Federal, State and local governments. Despite the fact this amendment was not ruled in order, it is crucial that there be established a sense of the Congress that the Secretary of Energy, acting through the Administrator of the Energy Information Administration, should commence an immediate investigation on the causes of high gasoline prices in the United States and, in collaboration with the petroleum industry and the Congress, develop a solution to such prices.

Finally, my third amendment would have given Historically Black Colleges and Universities, HBCU, the opportunity to develop new and existing programs in the area of alternative energy technologies. In our Nation's effort to become more energy independent, it is critical that we allow for as much research and development as possible. African Americans have made outstanding contributions to the energy industry and I see no reason not to allow them to make even more contributions now.

Mr. Speaker, while I support many aspects of the bill, I oppose the rule.

IN RECOGNITION OF QUINCY BOCK FOR RECEIVING THE GOLD AWARD FROM THE GIRL SCOUTS

HON. RANDY "DUKE" CUNNINGHAM
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. CUNNINGHAM. Mr. Speaker, I rise today to pay tribute to my constituent Quincy Bock of Senior Troop #1107 as she receives the honor of a Gold Award from the Girl Scouts. The Girl Scout Gold Award is the highest award that a Girl Scout may earn. It is not an honor given lightly. The young women who receive this award must demonstrate leadership skills, organizational skills, and sense of community and commitment. Quincy Bock exhibited all these skills with her Gold Award Project, a Resource for Refugees, for The Nile Sisters, a non-profit organization that helps refugee families become self-reliant through education and support.

Quincy successfully created three databases and produced two pieces of literature for The Nile Sisters to use in helping refugee families. The databases Quincy designed and the training she gave the organization will greatly increase the organization's efficiency. In addition, the pamphlets she created has already generated a number of donations and offers of assistance. Because of Quincy's direct contribution, The Nile Sisters will be able to better serve refugee families seeking a better life here in America.

I am proud to recognize Quincy Bock's achievements. She is a shining example of the promise of the next generation. She has already set what I hope is the foundation for a lifetime of active citizenship. I congratulate Quincy and her family on this momentous occasion.

INTRODUCTION OF RETIREMENT SECURITY ACT OF 2005

HON. THOMAS E. PETRI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. PETRI. Mr. Speaker, today I am introducing the Retirement Security Act of 2005. This bill addresses the financing problems facing the Social Security Trust Fund through the creation of Personal Social Security Investment Accounts for each newborn child. This plan would establish a mechanism for reducing the long term fiscal pressures facing Social Security without changing the current benefit structure or diverting payroll taxes from the Trust Fund.

My bill seeks to use the benefits of the private market to place Social Security on a sound financial footing, as do a number of other reform plans. But more than that, I seek to maximize the magic of compound interest by opening savings accounts for future retirees as soon as they are born. Under the Retirement Security Act, the Federal government would create a personal investment account for each newborn American child with an initial government contribution of $1,000. The account would be invested in any of the funds available to Federal employees through the Thrift Savings Plan, and earnings would accrue tax free. Account holders, or the parents of minor account holders, would be free to make additional pretax contributions to these accounts and enjoy the opportunity to invest in these safe and well-managed investment accounts.

At retirement, each retiree would qualify for the same Social Security benefit earned under the current Social Security system. Benefits would be paid first from each worker's personal account, and payments from the Trust Fund would begin only after the balance of the personal account had been depleted. This will take advantage of the opportunity to make additional contributions may well find their balance in excess of the amount needed to fund their Social Security benefits, and these funds would belong to the individual investor. My bill provides a variety of options, including lump sum distributions and the purchase of life annuities with level or inflation-adjusted monthly payments for disposition of the surplus balance.

An initial contribution of $1,000 invested today that grows at the average combined rate of return of the five Thrift Savings Plan investments options would yield an adjusted balance of $58,000 by retirement at age 67. For purposes of comparison, this amount would be enough to purchase an annuity with a monthly payment equal to 46 percent of the today's average Social Security retirement benefit. A single matching payment of $1,000 by a parent on the occasion of their child's birth would endow an account which would produce almost 100 percent of the average benefit and, perhaps just as important, give that child the gift of a lifelong savings vehicle which offers the potential of greater financial security in retirement than can be provided by Social Security alone.

Clearly, the focus of my legislation is long-term. Social Security's fiscal problems will begin to pinch long before children born today are ready to retire. By now, we're all familiar with the projections provided in the annual report of the Social Security Board of Trustees. The Trustees have forecast that our current Social Security surpluses will turn to deficits by 2017 and that the bonds collecting in the Social Security Trust Fund will be fully redeemed by 2041. At that time, it's anticipated that payroll taxes will be sufficient only to pay 74 percent of expected retirement benefits. Though my legislation would make no other
changes to Social Security, when combined with other reasonable reform ideas, it can provide a component of a comprehensive solution to Social Security’s long and shorter-term financial problems.

We’ve reached an important moment in the life of the Social Security program. It’s obvious that we need to bring more money into the system to keep the promises we’ve made and to allow us to continue to offer some measure of retirement security. Personal investment accounts are one way to bolster the system, yet they have become the object of too much criticism and much disinformation. Many of our constituents have become concerned that the diversion of payroll tax revenue into personal accounts of today’s workers will threaten the benefits of current retirees. A campaign is being waged which fosters these fears and may prevent the adoption of even those personal accounts which have no impact on the Social Security Trust Fund.

My bill provides the opportunity for Congress to demonstrate that it can implement a system of personal accounts without diverting payroll taxes and that will build retirement savings for future generations without enriching stock brokers or introducing unacceptable investment risk to American workers. As the success of these personal accounts become apparent, growing numbers of Americans will have greater confidence in this avenue of reform, presenting opportunities to expand the use of personal accounts. The time has come for us to take this important step forward, and I encourage my colleagues to support this bill.

In recognition of Louisiana’s 256th Army National Guard
and support for efforts to assist Iraqi citizens

HON. CHARLES W. BOUSTANY, JR.
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. BOUSTANY. Mr. Speaker, I rise today to recognize the work that members of our armed forces are doing in Iraq. Too often, the news from Iraq is of attacks from insurgents, the political difficulties of forming a new democracy and international political gamesmanship. I want to highlight one effort by our troops to befriend the Iraqi citizens and demonstrate our commitment to democracy and freedom.

Sgt. Martin Schulthess is a member of the 256th Battalion of the Army National Guard and he is a paramedic with Acadian Ambulance Service. In patrols through Iraq, he and his troops have been able to earn the trust and friendship of the Iraqi citizens. After suffering under Saddam Hussein, they are struggling to create a civil society without fear of torture, imprisonment or death. These Iraqis know American and coalition forces support their efforts to govern themselves. They support the elimination of terrorist insurgents and former Baath Party members who do not want to establish a new government.

Sgt. Schulthess attributes a measure of his success to the small gifts he distributes to Iraqi families and friends of these soldiers are ready for them to return home. Soldiers like Sgt. Schulthess and all of Acadian and Louisiana can be proud of. The kind of ingenuity, creativity, and initiative demonstrated by our troops will help to bring them home safely after planting the seeds of democracy in Iraq.

CONGRATULATIONS TO THE AMERICAN LEGACY FOUNDATION ON WINNING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY’S CHILDREN’S ENVIRONMENTAL HEALTH EXCELLENCE AWARD

HON. MARTIN T. MEEHAN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate the American Legacy Foundation for being selected as a final winner in the Environmental Protection Agency’s Children’s Environmental Health Awards.

The widespread use of tobacco and devastating effects of secondhand smoke contribute to a serious environmental health risk for America’s children. Five years ago, the American Legacy Foundation, a non-profit health organization dedicated to building a world where young people reject tobacco and anyone can quit, has implemented several innovative outreach initiatives and programs to discourage adult and youth tobacco use and reduce the effects of secondhand smoke.

Passive exposure through secondhand smoke puts children at risk for a range of health consequences including asthma, ear infections, bronchitis, pneumonia, reduced lung function, respiratory infection, and other chronic respiratory conditions. According to current population survey data, 13.8 million kids ages 0 to 17 are exposed to secondhand smoke and 22 percent of middle school students and 24 percent of high school students are exposed to secondhand smoke in the home.

The American Legacy Foundation has launched key initiatives to address the negative health effects of tobacco. The Foundation has designed public awareness campaigns and initiatives to educate and empower youth to take action against the environmental health threat from smoking and secondhand smoke.

Some of the Foundation’s most successful programs include truth®, the Youth Speakers Bureau, the Youth Advisory Panel and the Statewide Youth Movement Against Tobacco Use (Youth Empowerment) Grants.

Mr. Speaker, in closing, I encourage my colleagues to join with me to congratulate the American Legacy Foundation for their success in successfully reducing youth smoking and for receiving the Environmental Protection Agency’s Children’s Environmental Health Award.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. ANDREWS. Mr. Speaker, I regret that I missed nine votes on April 20th, 2005. The votes were on amendments to the Energy Policy Act of 2005 (H.R. 6). Had I been present I would have voted “yes” on rollcall 115, 116, 117, 118, 120, 121, 122, and 123. I would have voted “nay” on rollcall 119.

THE READING FAILURE PREVENTION ACT OF 2005

HON. ELIJAH E. CUMMINGS
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. CUMMINGS. Mr. Speaker, I rise today to introduce the Reading Failure Prevention Act of 2005. This bill would authorize the Secretary of Education to make grants to States to establish statewide screening programs for children who are 5 to 7 years of age to help prevent reading failure.

Reading failure is pervasive. Declining test scores for reading have been noted in many states. Just as troubling, according to the National Assessment of Educational Progress, 37 percent of our nation’s 4th graders and 26 percent of 8th graders score below the basic reading level.

The Reading Failure Prevention Act of 2005 would help address this crisis by authorizing grants to States for screening incoming students for dyslexia or other reading failure traits. It also would provide adequate professional development for personnel who administer the screening programs. Dyslexia, often referred to as a language-based learning disability, is the most common form of learning disability.

Recently, approximately 15 percent to 20 percent of the population was reported to have a learning disability and the National Institutes of Health reported that 60 percent to 80 percent of those with learning disabilities have problems with reading and language skills. Predictions for the coming decades indicate that the number of children with learning disabilities will increase for associated social, economic, and educational reasons.

In spite of the fact that reading success in early grades is an essential basis for success in later grades, current methods of identifying children as learning disabled rely on a “wait and fail” model, where children must demonstrate severe academic problems before receiving help. The Reading Failure Prevention Act of 2005 would end this cycle by providing early screening so that appropriate intervention can begin immediately.

Because reading disorders, such as dyslexia, often affect oral language functioning, individuals with these disorders are at a disadvantage as they enter their adolescent years, when language becomes more central to their peer relationships.

If these students do not receive proper intervention, they may begin to experience academic failure and a host of social and emotional problems. However, when trained professionals catch learning disorders such as
dyslexia early, learning strategies and proper treatment can help them to succeed academically and to develop a positive self-image.

I firmly believe that this legislation represents a step in the right direction toward ensuring that our nation’s children are adequately prepared for lifelong reading success. I urge my colleagues to join me in this effort by co-sponsoring the Reading Failure Prevention Act of 2005.

FREEDOM FOR LUIS ENRIQUE FERRER GARCÍA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Luis Enrique Ferrer García, a prisoner of conscience in totalitarian Cuba.

Mr. Ferrer García is a peaceful pro-democracy activist who desires to bring freedom, democracy, and human rights to Cuba. He is also a member of the Christian Liberation Movement. Because he believes that freedom is the birthright of every person, he has been repeatedly harassed and detained by the nightmare that is the Castro regime. According to Amnesty International, in December 1999 he was sentenced to 6 months “restricted freedom.”

In March 2003, as part of Castro’s heinous island wide crackdown on peaceful pro-democracy activists, Mr. Ferrer García was arrested by the dictatorship. In a sham trial he was sentenced to 28 years in the totalitarian gulag.

According to reports, Mr. Ferrer García was transferred to a “punishment cell” for having refused a military salute to a prison official. These punishment cells are the very depths of depravity. According to the Department of State’s Country Reports on Human Rights Practices for 2004: “punishment cells,’ were located in the basement of a prison, with continuous semi dark conditions, no available water, and a hole for a toilet. Reading materials, including Bibles, were not allowed. . . Prisoners in punishment cells had no access to lawyers.”

Mr. Ferrer García was eventually released from this “punishment cell” because of a hunger strike carried out on his behalf. However, he is in constant danger of being returned to this version of hell within a gulag.

Mr. Luis Ferrer García is not the only member of his family sentenced to the totalitarian gulag. His brother, José Daniel Ferrer García was sentenced to 25 years in the totalitarian gulag. His brother, José Daniel Ferrer García, and every political prisoner in totalitarian Cuba, is in constant danger of being returned to the totalitarian gulag. His brother, José Daniel Ferrer García will be released in a few months.

HON. DARLENE HOOLEY
OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Ms. HOOLEY. Mr. Speaker, I rise today to recognize the long and successful career of Portland State University softball coach Teri Mariani, which will come to a close on Sunday, April 24, 2005, as she coaches her final game at PSU.

It’s been a long time, but I remember Teri from her days as an outstanding student and a fine athlete when I had the privilege to coach her in high school at St. Mary’s Academy in the late ’60s and early ’70s. Back then, without the opportunities afforded by Title IX that are available today, the chance for young women to compete at any level were limited.

Still, Teri managed to shine. I remember taking a team, including a then-sophomore Teri, to play basketball in the Portland Recreational League. Teri, always serious in the classroom, was just as driven to succeed on the court. But that’s the sort of dedication to excellence that Teri maintained as during her years at Portland State.

Since the 1970s, Teri has been a fixture on the Portland State campus—first as a stellar three-sport student-athlete, then as an administrator and, since 1977, as coach of the softball team.

Teri will leave Portland State with the school record for the most victories in any sport, 631, and a winning record in 10 of her last 16 seasons. Ranked 15th overall among all Division II coaches with 646 wins, Coach Mariani also successfully led the Vikings during their transition to the Division I level in the 1998 season.

During her career, the Vikings went to the NCAA playoffs nine times, and placed nationally four times, with a best finish of third in the nation in 1991. For her accomplishments, Teri was inducted into the Portland Metropolitan Softball Association Hall of Fame in 1986 and the Oregon Sports Hall of Fame in 2003.

In addition to coaching softball, Teri has been Associate Athletic Director, Interim Athletic Director, and twice the department’s Senior Woman Administrator. She has not only coached young women and helped them succeed on the field, but has been a mentor to them as they pursued their education. Hundreds of young women have had their lives impacted in a positive way by Teri Mariani, and while I am sad to see her long tenure as coach come to an end, her contributions to the sport and the university will be felt far into the future.

HON. TIMOTHY H. BISHOP
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. BISHOP of New York. Mr. Speaker, I rise to honor and congratulate my neighbor and constituent Mr. Ernest Maler, Sr. on the occasion of his 100th birthday. Mr. Maler was born on April 24, 1905 and raised in East Patchogue, New York. The upcoming century milestone is a time to celebrate the numerous achievements of a great American.

Mr. Maler earned his Juris Doctor at New York University School of Law and returned to Long Island so that he could provide exemplary legal service to the people of his hometown. His passion for law is matched only by a love for his family and an affinity for the game of golf.

The 100th birthday is slowly becoming an attainable goal by many Americans as medical science, better living conditions, and more knowledge about fitness and health increase our life expectancy. Today more than 70,000 Americans are 100 years old, and that number is expected to grow dramatically during the next century.

Mr. Maler lived through the great depression, two world wars, and 18 presidential administrations. His first hand experiences are invaluable sources of wisdom and his life accomplishments are inspirational to all Americans. Mr. Speaker I appreciate the opportunity to honor such a noteworthy individual.

Ms. STEEN currently teaches English at Portland State University and has had a long tenure as a fixture on the Portland State campus. Ms. Steen is a teacher who is willing to work hard for her students and she is an example of the most noble profession.

HON. DOG HASTINGS
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. HASTINGS of Washington. Mr. Speaker, I wish to pay tribute to 2005 Washington State Teacher of the Year and one of four national finalists for 2005 Teacher of the Year—Ms. Tamara Steen.

Since 1963, Washington state has honored one outstanding classroom teacher each year who is then eligible for the national honor. I am extremely proud that out of over 2.8 million elementary and secondary teachers nationwide, Ms. Steen was recognized as one of four finalists for the national honor announced by President Bush.

Ms. Steen is an innovative and compassionate teacher who has taught in the small rural town of Mabton, Washington for over two decades. In her years of teaching she has motivated students to achieve a higher standard. Ms. Steen is a teacher who is willing to work hard for her students, and expects her students to work hard for her in return.

Ms. Steen currently teaches English at Mabton Junior/Senior High School where she uses innovative teaching strategies to actively engage her students in learning. Despite the many challenges she is faced with each day, Ms. Steen’s enthusiasm for her profession and her devotion to her students continues to grow.
In a society where teachers do not always receive the appreciation they deserve, I am pleased to honor and commend Ms. Steen for her decades of dedication to students in Central Washington. Ms. Steen exemplifies the best of America.

To Mrs. Steen and the teachers across America that are educating tomorrow’s leaders, thank you.

IN OBSERVANCE OF THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. STEVEN R. ROTHMAN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. ROTHMAN. Mr. Speaker, this Sunday, April 24, 2005 is the 90th anniversary of the Armenian Genocide, the systematic and planned extermination of an entire ethnic group by the Ottoman Empire, and the first act of genocide in the 20th Century. I join my colleagues and the Armenian-American community in my district, the 9th Congressional District of New Jersey, and with people of goodwill throughout the world, in solemn observance and acknowledgement of the deaths of 1.5 million Armenians during the years 1915-1923.

Countless Armenian families were torn apart forever by these gruesome acts of violence—acts that have been seared into the memories of the courageous individuals who survived. Survivors have vowed to never let their children, grandchildren, and great-grandchildren, or others in the world, forget this past. Unfortunately, there is still a denial on the part of many people around the world about the actual occurrence of a genocide in Armenia. I stand steadfastly with my Armenian friends in support of an acknowledgement of the horrors that were inflicted upon their families, and I continue to urge the recognition of the Armenian Genocide.

This year, the number “ninety” serves as a reminder that too many years have passed without recognition, and it serves as a motivating tool to continue to educate the world about the Armenian Genocide. In past years on the day of the anniversary, my Armenian-American constituents from St. Leon Armenian Apostolic Church in Fair Lawn, St. Vartanantz Armenian Apostolic Church in Ridgefield, and St. Thomas Armenian Apostolic Church in Tenafly would participate in solemn services held in memory of the martyrs of the Armenian Genocide at their individual churches. This year, however, the number “ninety” will unify Armenian-Americans as all members of the Armenian Apostolic churches on the East Coast will convene in Times Square in New York City to stand together and have their voices heard.

This anniversary also provides us with an opportunity to pledge that such a slaughter should never take place again. I am sickened and dismayed by the atrocities that we continue to see today in the Sudan, as well as others that we have seen in the 20th century, such as the Holocaust and the ethnic cleansing campaigns in Cambodia, Kosovo and Rwanda. Events should be recognized for what they are: Genocide.

As a Jewish-American, I stand united with Armenians who continue to fight for recognition of the Armenian Genocide so the world will never forget the first crime against humanity in the 20th Century. I am hopeful that this 90th Anniversary of the Armenian Genocide will bring with it the recognition that is deserved, and help us in our obligations as global citizens to protect the basic human rights of all people. I urge the professional organizations, our friends, families, and humanity to be committed to preventing genocide in the future, no matter when, where, or to whom it occurs.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005

SPEECH OF
HON. TODD TIAHRT
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 14, 2005

Mr. TIAHRT. Mr. Speaker, I rise today in strong support of S. 256, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. I believe passage of this important bill is long overdue, and I congratulate Chairman SENSENBRENNER and Chairman OXLEY for their leadership over the past several years in crafting meaningful bankruptcy reform.

The bill we are voting on today will help foster greater personal responsibility and make it more difficult for those who use bankruptcy as a tool for fraud to cheat their way out of debt.

Bankruptcy filings have escalated in recent years, with harmful and negative consequences on our economy. Yet, numerous studies have shown many bankruptcy debtors are able to repay a significant portion of their debts. If this alarming trend continues, all Americans will pay the price in the form of higher costs for goods, services and credit. These higher costs not only harm consumers, it also stymies growth for businesses.

By addressing bankruptcy abuses, S. 256 will play a role in creating a better environment to conduct business in America, which means more jobs for those who need them.

Some have expressed concerns S. 256 will limit people from filing under Chapter 7. However, estimates show only a small percent of Chapter 7 bankruptcy filers would have their petitions dismissed or forced into Chapter 13 or Chapter 11 bankruptcy. One study cited by the Committee on the Judiciary suggests as few as 3.6 percent of Chapter 7 filers would be moved into repayment plans under the new means test.

I recognize there are cases where families and individuals need to file for Chapter 7 bankruptcy for very legitimate reasons. Sometimes hardships and unforeseen circumstances happen in life, and bankruptcy is a needed last option to help families survive.

However, the United States cannot afford to continue down the path where high consumer debt is routinely directed toward bankruptcy as a first stop rather than a last resort. I am pleased S. 256 addresses common bankruptcy abuses while continuing to offer Americans who need to file for bankruptcy the means to do so.

The consumer bankruptcy provisions of S. 256 address the needs of both creditors and debtors. With respect to the interests of creditors, this legislation responds to many factors that have contributed to the increase in consumer bankruptcy filings, such as lack of personal financial accountability.

The bill provides many debtor protections such as provisions allowing debtors to exempt certain education IRA plans, forgoing exemptions for certain retirement pension funds, and enhancing the professionalism standards for attorneys and others who assist consumer debtors with their bankruptcy cases.

S. 256 ensures debtors receive notice of alternatives to bankruptcy relief, requires debtors to participate in debt repayment programs, and institutes a pilot program to study the effectiveness of consumer financial management programs.

I am also pleased S. 256 contains several provisions that will help make American businesses more competitive. By cracking down on bankruptcy abuse, we eliminate another obstacle small businesses face as they compete in the global marketplace.

Currently, a business can be sued by a bankruptcy trustee and forced to pay back money previously paid to it by a firm that later filed for bankruptcy protection. Under the reforms of S. 256, small businesses will have an easier time successfully defending against these suits.

The reforms will promote greater certainty in the financial market place as well. S. 256 reduces systemic risk in the banking system and financial marketplace by minimizing the risk of disruption when parties to certain financial transactions become bankrupt or insolvent.

S. 256 addresses the special problems presented by small business debtors by instituting firm deadlines and enforcement mechanisms to weed out those debtors who are not likely to reorganize. It also requires the court and other designated entities to monitor these cases more actively.

Under the current law, nearly every item of information supplied by a debtor in connection with his or her bankruptcy case is made available to the public. S. 256 prohibits the disclosure of the names of the debtor’s minor children and requires such information to be kept in a nonpublic record, which can be made available for inspection only by the court and certain other designated entities. In addition, if a business debtor had a policy prohibiting it from selling “personally identifiable information” about its customers and the policy was in effect at the time of the bankruptcy filing, then the sale of such information is prohibited unless certain conditions are satisfied.

These are just a few of the several provisions that make this bill good for American consumers and businesses. I urge my colleagues to join me today in voting for S. 256 so we can limit abuses within our bankruptcy system and promote a stronger America.

IN APPRECIATION OF OUR WORLD WAR II VETERANS

HON. PAUL RYAN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. RYAN of Wisconsin. Mr. Speaker, as we approach the sixtieth anniversary of VE Day, we must remember and honor the men and women of America’s armed forces who secured victory in World War II at a great cost.
They were regular citizens thrust into an extraordinary conflict at a pivotal point in world history, and freedom’s future across the globe depended on their courage and character. They sacrificed and endured much in order to defeat tyranny and preserve liberty—overcoming formidable enemies, the elements, and undoubtedly fate. The sacrifices these heroes today are their legacy, and we must cherish and defend this legacy as they did.

I have been very fortunate to meet quite a few of those in Southeastern Wisconsin who served during World War II, and every time I speak with them it is an inspiration. These heroes in our midst are a constant reminder of the tremendous difference that one person can make in this world. Because they confronted evil and risked their lives to liberate occupied lands, countless individuals around the world were able to grow up enjoying the blessings of freedom, and America’s land and liberty were preserved.

Later this week, some of these veterans will be commemorating the sixtieth anniversary of victory in World War II at a special ceremony in Franklin, Wisconsin. They should know that America has not forgotten their bravery and how they and those fighting beside them saved the free world. We will forever be indebted to them for their service to our country in its hour of need, and we will continue to draw strength from this example as we fight terrorism and other threats today and in the future.

RECOGNIZING THE CENTER FOR YOUTH CITIZENSHIP

HON. DORIS O. MATSUI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Ms. MATSUI. Mr. Speaker, I rise in tribute to an organization with a great record of service to the young people of the Sacramento Region. Ever since its inception in the 1980s, the Center for Youth Citizenship has worked tirelessly and successfully to enhance the significance of citizenship and the importance of our laws and institutions to the young people of the local region. I ask all my colleagues to join me in saluting the Center for Youth Citizenship (CYC), one of Sacramento’s most respected community organizations.

Founded in 1984, the Center for Youth Citizenship’s mission is to have young people respect one another, our institutions, and laws; have a working understanding of citizenship, its requirements and responsibilities; appreciate the foundation and privileges of democracy; and have the skills and character to be engaged and informed participants in everyday community matters. To achieve these goals, CYC has reached out to a diverse group of school and community partners on award-winning and recognized schools and community programs such as the Gordon D. Schaber Mock trial & Moot Court Competition, Laws for Youth and Families, and California Conflict Resolution and Youth Meditation Project.

Through its partnerships with a broad-based group of government, business and education leaders, CYC initiated the program, With Liberty and Justice for All, in 2004. The program is designed to connect the generations and groups in the local communities and recommit them to the collective pursuit of equity, justice, and character. In its inaugural year, CYC, along with a coalition of local businesses, community groups, and school districts, attracted a theater full of students to commemorate the 50th Anniversary of the landmark Supreme Court decision of Brown v. Board of Education. As a result of the hard work of the CYC staff, hundreds of students were treated to a memorable and invaluable learning experience that will likely impact them for the rest of their lives.

This year, CYC has once again brought together an impressive list of community entities to celebrate the second year of the With Liberty and Justice for All community forum. The event themed for the 2005 program is “A Celebration of Citizenship, Education, and Service.” Education legend Jaime Escalante, profiled in the Academy Award nominated film “Stand and Deliver,” a group of Mr. Escalante’s former students, and acclaimed actor Edward James Olmos, who portrayed Mr. Escalante in the movie, are all scheduled to participate in a special screening of “Stand and Deliver” and participate in an important dialogue about the importance of citizenship, education, and service.

Mr. Speaker, I am honored to pay tribute to the Center for Youth Citizenship. I would like to especially thank CYC’s Executive Director, Dr. Joe McManus, and his great staff for their dedication and hard work. I am confident that the Center for Youth Citizenship will continue to yield tremendous benefits for the people of Sacramento. I ask all my colleagues to join me in wishing the Center for Youth Citizenship a successful second year, and annual With Liberty and Justice for All community forum and continued success in all its future endeavors.

THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. ANTHONY D. WEINER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. WEINER. Mr. Speaker, April 24th marks the 90th commemoration of the Armenian genocide. On that day, Ottoman Turkish leader Talaat Pasha uttered the frightening directive to “kill every Armenian man, woman, and child without concern.”

Between 1915 and 1921, more than 1.5 million Armenians were slaughtered, approximately 80 percent of the population. Men were tied together with ropes, taken to the outskirts of their town and shot or bayoneted by death squads. Women were brutally raped and hundreds of thousands were starved to death. 75 percent of those who were forced into death marches perished, especially children and the elderly. And those who survived the ordeal were herded into the desert, doused with water, thrown off cliffs, burned alive, or drowned.

Ninety years after that first genocide of the 20th century, it is hard for many Americans to conceive of a tragedy on such a scale. An equivalent massacre on U.S. soil would claim the lives of 236 million Americans. That’s every man, woman, and child in 48 of the 50 United States.

Some mistakenly believe that recent events make the Armenian tragedy seem long ago. To the contrary, its relevance has a heightened importance today. One week before Hitler invaded Poland in the fall of 1939, he ordered his generals “to kill without pity or mercy all men, women, and children of Polish race or language. Only in such a way will we win the vital space that we need. Who still talks nowadays about the Armenians?”

That is precisely why we must still talk about the Armenians today. And we must still talk about the Jews, and the Poles, and the Russians, and the Catholics, and the Tutsis, and the moderate Hutus, and the Sudanese whose lives have been lost to genocide.

That is why this week’s commemoration here in the United States Congress and those events going on this week are so crucial. If the world fails to remember the Armenian genocide of the early 20th century, we will have abandoned the collective commitment to fight the evils that communities have unleashed upon another.

In these early years of the 21st century, Armenians understand the War on Terror. It is a war they have now fought ninety years. A war the world community still refuses to recognize. As we gather today to pay tribute, it is time for the U.S. Congress to finally designate what we all know to be a case of genocide. While tragically it may not be last, it is time to correct the history in the minds of men and finally declare the Armenian genocide the holocaust that it was.

THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. MICHAEL R. McNULTY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. MCNULTY. Mr. Speaker, I join today with many of my colleagues in remembering the victims of the Armenian Genocide. April 24th will be the 90th anniversary of this human tragedy.

From 1915 to 1923, the world witnessed the first genocide of the 20th Century. This was clearly one of the world’s greatest tragedies—the deliberate and systematic Ottoman annihilation of 1.5 million Armenian men, women, and children.

Furthermore, another 500,000 refugees fled and escaped to various points around the world—effectively eliminating the Armenian population of the Ottoman Empire.

From these ashes arose hope and promise in 1915—and I was blessed to see it. I was one of the four international observers from the United States Congress to monitor Armenia’s independence referendum. I went to the communities and saw how Armenians in the province of Ararat, and I watched in awe as 95 percent of the people over the age of 18 went out and voted. The Armenian people had been denied freedom for so many years and, clearly, they were very excited about this new opportunity. Almost no one stayed home. They were all out in the streets going to the polling places. I watched in amazement as people stood in line for hours to get into these small polling places and vote.

The day after they voted, the other interesting thing was that they did not go home. They had brought covered dishes with them, and all of these polling places had little banquets afterward to celebrate what had just happened.
What a great thrill it was to join them the next day in the streets of Yerevan when they were celebrating their great victory. Ninety-eight percent of the people who voted cast their ballots in favor of independence. It was a wonderful experience to be there with them when they danced and sang and shouted, “Ketz fotoz Hayastan” — “free and independent Armenia! That should be the cry of freedom-loving people everywhere.

COMMEMORATING THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. HOWARD L. BERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. BERMAN. Mr. Speaker, this Sunday, April 24th, marks the 90th anniversary of the beginning of the Armenian Genocide. I rise today to commemorate this terrible chapter in human history, and to help ensure that it will never be forgotten.

On April 24, 1915, the Turkish government began to arrest Armenian community and political leaders. Many were executed without ever being tried of any crimes. Then the government deported most Armenians from Turkish Armenia, ordering that they resettle in what is now Syria. Many deportees never reached that destination.

From 1915 to 1918, more than a million Armenians died of starvation or disease on long marches, or were massacred outright by Turkish forces. From 1918 to 1923, Armenians continued to suffer at the hands of the Turkish military, which eventually removed all remaining Armenians from Turkey.

We mark this anniversary of the start of the Armenian Genocide because this tragedy for the Armenian people was a tragedy for all humanity. It is our duty to remember, to speak out and to teach future generations about the horrors of genocide and the oppression and terrible suffering endured by the Armenian people.

We hope the day will soon come when it is not just the survivors who honor the dead but also when those whose ancestors perpetrated the horrors acknowledge their terrible responsibility and commemorate as well the memory of genocide’s victims.

Sadly, we cannot say humanity has progressed to the point where genocide has become unthinkable. We have only to recall the “killing fields” of Cambodia, mass killings in Rwanda, “ethnic cleansing” in Bosnia and Kosovo, the unaccountable horrors in Darfur, Sudan to see that the threat of genocide persists. We must renew our commitment never to remain indifferent in the face of such assaults on innocent human beings.

We also remember this day because it is a time for us to celebrate the contribution of the Armenian community in America—including hundreds of thousands in California—to the richness of our culture and culture. The strength they have displayed in overcoming tragedy to flourish in this country is an example for all of us. Their success is moving testimony to the truth that tyranny and evil cannot extinguish the vitality of the human spirit.

The United States has an ongoing opportunity to contribute to a true memorial to the past by strengthening Armenia’s emerging democracy. We must do all we can through aid and trade to support Armenia’s efforts to construct an open political and economic system. Adolf Hitler, the architect of the Nazi Holocaust, once remarked “Who remembers the Armenians?” The answer is, we do. And we will continue to remember the victims of the 1915–23 genocide because, in the words of the philosopher George Santayana, “Those who cannot remember the past are condemned to repeat it.”

COMMEMORATING THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mrs. MALONEY. Mr. Speaker, as a proud member of the Congressional Caucus on Armenian Issues, and the representative of a large and vibrant community of Armenian Americans, I rise to join my colleagues in the sad commemoration of the Armenian Genocide.

Today we declare to people living in every corner of our globe that the Turkish and American governments must finally acknowledge what we have long understood: that the unimaginable horror committed on Turkish soil in the aftermath of World War I was, and is, an act of genocide.

I strongly believe that the tragic events that began on April 24, 1915, which are well known to all of us, should be part of the history curriculum in every Turkish and American school. On that dark April day, more than 200 of Armenia’s religious, political and intellectual leaders were arrested in Constantinople and killed. Ultimately, more than 1.5 million Armenians were systematically murdered at the hands of the Young Turks, and more than 500,000 more were exiled from their native land.

On this 90th anniversary of the beginning of the genocide, we lend our voices to a chorus that grows louder with each passing year. We simply will not allow the planned elimination of an entire people to remain in the shadows of history. The Armenian Genocide must be acknowledged, studied and never, ever allowed to happen again.

The parliaments of Canada, France and Switzerland have all passed resolutions affirming that the Armenian people were indeed subjected to genocide. The United States must do the same. I will not stop fighting until the long overdue legislation acknowledging the Armenian Genocide finally passes.

Of course, an acknowledgment of the genocide is not our only objective. I remain committed to ensuring that the U.S. government continues to provide direct financial assistance to Armenia. Over the years, this aid has played a critical role in the economic and political advancement of the Armenian people.

Additionally, it is clearly in our national interest to foster peace and stability in the South Caucasus region. We in Congress need to renew our commitment to Section 907 of the Freedom Support Act, which denies assistance to Azerbaijan until it ends its stranglehold on the embattled region of Nagorno-Karabagh.

We will not stand by as the Armenian people are threatened yet again. On this solemn day, our message is clear: the world remembers the Armenian genocide, and the governments of Turkey and the United States must declare—once and for all—that they do, too.

COMMEMORATION OF THE ARMENIAN GENOCIDE

HON. JERRY F. COSTELLO
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. COSTELLO. Mr. Speaker, I rise today to pay tribute to the victims of one of history’s most terrible tragedies, the Armenian Genocide.

April 24, 1915 is remembered and solemnly commemorated each year by the Armenian community and others throughout the world. On that day, Armenian religious, political, and intellectual leaders were arrested in Constantinople, taken to the interior of Turkey and murdered. From 1915 through 1923, Armenians that lived under Ottoman rule were systematically deprived of their property, freedom, and dignity. In addition, one and a half million Armenians were massacred, with 500,000 more deported.

Despite the efforts of some to minimize the scope and deny the occurrence, the Armenian Genocide is a historical fact. In my district, there is a significant population of Armenian survivors and their families that showed heroic courage and a will to survive. Many of the survivors of the genocide came to the United States, where they and their descendants have contributed to our society in countless ways. With faith and courage, generations of Armenians have overcome great suffering and proudly preserved their culture, traditions, and religion and have told the story of the genocide to an often indifferent world. It is through their unforgettable tragedy that we are able to share in their history and strong heritage. The history of the Armenian Genocide must never be forgotten. As Members of Congress and people of conscience, we must work to overcome the indifference and distortions of history, and ensure that future generations know what happened.

Mr. Speaker, it is impossible to imagine an evil more forceful than the efforts to systematically wipe out a people and a culture as well as individual lives. Denying that genocide took place when there are recorded accounts of barbarity and ethnic violence is an injustice. This was a tragic event in human history, but by paying tribute to the Armenian community we ensure the lessons of the Armenian genocide are properly understood and acknowledged. I am pleased my colleagues and I have this opportunity to ensure this tragedy is remembered.

COMMEMORATION OF THE ARMENIAN GENOCIDE

HON. MARK E. SOUDER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. SOUDER. Mr. Speaker, I rise to remember the 90th anniversary of the Armenian
Genocide of 1915–1923. We are familiar with these events. Hundreds of thousands of men, women, and children were driven from their homes, starved, beaten, and shot. Government-orchestrated intimidation, government-sponsored deportations, and government-perpetrated slaughter are the hallmarks of the Armenian Genocide. They are also the hallmarks of other genocides with which we are all too familiar.

The Armenian Genocide was the first genocide of its kind, but it was not the last. It has served as a model of the Holocaust in Europe, the Killing Fields of Cambodia, and religiously motivated atrocities in Sudan. We look regretfully and sorrowfully at the slaughter of so many in these cases, as well we should. These events demonstrate man’s inherent sinfulness and the evil that comes so easily. No one denies the events in Europe, Asia, and Africa happened. Anyone rejecting these mass slaughters is themselves rejected. And yet, many suffer some kind of incredulity when it comes to the Armenian Genocide. We demand the perpetrators of these other genocides are made to account for their actions, but not the Armenian Genocide.

Photographs and eye witness accounts point overwhelmingly and undoubtedly to the massacre of over one million human beings, but no one has ever been held accountable. Ninety years after these events, the perpetrators are no longer living. In this world, they can no longer be held responsible for their actions. Their heirs, however, should be made to acknowledge the deeds of their fathers. But they are not.

Modern Turkey has made Armenian Genocide denial into an article of faith. Genocide denial is taught in schools, and is supported by the government. Anyone who deviates from the official line is considered a traitor. Indeed, the government of Turkey works feverishly to prevent any government from recognizing the Armenian Genocide. Recognition by the legislative bodies of France, Italy, Switzerland, and Russia has been met with harsh criticism from the Turkish government.

In 2000, only intense lobbying and ruthless pressure from Turkey prevented this House from recognizing the Armenian Genocide. It is shameful that the United States House of Representatives refuses to reaffirm the Armenian Genocide. Official American records on the Armenian Genocide are considered to be the most extensive in the world, and yet we refuse to reaffirm what already has been acknowledged to be the first genocide of the Twentieth Century. In past eras, American officials, including US Ambassador Henry Morgenthau and President Ronald Reagan, boldly declared the savage butchery in eastern Anatolia and the Caucasus to be genocide.

By allowing Turkey to deny its past actions, we take a step backwards. By not reaffirming the events of ninety years ago, we do not live up to the ideals of our country. I reaffirm the Armenian Genocide in the House of Representatives. I know that it happened. I remember.

HONORING THE CONTRIBUTIONS OF KIMBERLY BRANN, BARNES MIDDLE SCHOOL TEACHER OF THE YEAR

HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Kimberly Brann, Barnes Middle School Teacher of the Year.

Kimberly Brann has spent the last eight years teaching. She currently works at Seguin Independent School District, teaching math at Barnes Middle School. Having formerly taught fourth grade in the same district, she has watched some of her former students grow up through middle school.

It is my hope to recognize the accomplishments of Kimberly Brann. Her passion for education helps to insure that our students receive excellent and practical training that will help them succeed in the future.

TRIBUTE TO JOHN CADDELL

HON. ROBERT E. (BUD) CRAMER, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. CRAMER. Mr. Speaker, I rise today to honor one of North Alabama’s most influential leaders, Mr. John Caddell. Mr. Caddell, who will turn 95 on Saturday, is a popular lawyer in Decatur, Alabama who has done a great deal to help further the quality of life for all individuals in our community.

Still active in his law firm of Harris, Caddell, and Shanks, Mr. Caddell has always found time to share his thoughts on important community issues. He has been recognized for his leadership and commitment by the Kiwanis Club, the Chamber of Commerce, the Alabama Academy of Honor, and the University of Alabama.

Mr. Caddell is a board member and volunteer for many community organizations. He has served as a trustee for the University of Alabama system, First National Bank of Decatur, the Alabama State Democratic Executive Committee, and the Decatur General Hospital Foundation amongst others. He is also an elder and a Deacon for the First Presbyterian Church of Decatur.

Mr. Speaker, Mr. Caddell’s family and friends in Decatur are gathering today to celebrate his 95th birthday with a surprise party. I rise, on behalf of everyone in North Alabama, to thank him for everything he has done for the area and wish him a happy, healthy 95th year.

NATIONAL MINORITY CANCER AWARENESS WEEK

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to commemorate National Minority Cancer Awareness Week, which is taking place this week, April 17 to 23, 2005.

Despite remarkable advances in cancer research, prevention, and treatment, minority groups disproportionately fall victim to cancer. In honor of this year’s National Minority Cancer Awareness Week, we must make a strong commitment to support public health programs dedicated not only to improving awareness in communities of color but to finding a cure for cancer and guaranteeing access to quality health care.

Minority populations have higher chances of developing life-threatening diseases like cancer, and poorer chances of early diagnosis, optimal treatment, and survival. Minorities face significant barriers to accessing health care, including the lack of adequate health insurance; unequal access to research, clinical trials, and treatment; and cultural and linguistic barriers. This unequal treatment is an unacceptable form of discrimination. We must eliminate health disparities affecting minorities by breaking down the barriers to access to quality health care.

Minority health disparities affect all Americans. While minorities make up only about one-third of the U.S. population, they represent more than half of uninsured Americans. According to the Agency for Healthcare Research and Quality, by the year 2050 nearly 1 in 2 Americans will be a member of a racial or ethnic minority. It is critical that we act now to eliminate health disparities and to reduce the number of uninsured Americans. The cost of inaction will mean more preventable illnesses and deaths, higher health care costs, and lost productivity.

As we recognize National Minority Cancer Awareness Week, I hope that we will also work to expand public outreach and education efforts, accelerate medical research, and strengthen Medicaid and other public health programs.

Finally, we must also make a commitment to provide access to affordable, comprehensive and quality health care for all Americans, regardless of their race, gender, income or geographic location. As the only industrialized nation in the world that does not guarantee access to health care as a right, it is time for a change.

STRENGTHEN SOCIAL SECURITY

HON. PHIL GINGREY
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. GINGREY. Mr. Speaker, I rise today in support of strengthening Social Security through ownership and savings. Right now, we have an opportunity to let Americans own a piece of their retirement savings by strengthening Social Security through voluntary personal accounts.
Most Americans might be surprised to know that their Social Security isn’t very secure at all. As the system stands today, your Social Security check is controlled by Congress. And when you die, your benefits are taken away, regardless of how long or how much you’ve paid into the system.

That’s a bum deal for Americans.

If instead, we let younger workers create voluntary personal retirement accounts with a small portion of their Social Security money, more Americans could build a nest egg that the government could never ever take away. These savings could be passed on to future generations.

Mr. Speaker, voluntary personal accounts will help low- and middle-income Americans accumulate wealth and save for their future. I ask for your support.

HONORING THE DOWNTOWN, PENNSYLVANIA CHAMBER OF COMMERCE

HON. JIM GERLACH
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. GERLACH. Mr. Speaker, I rise today to honor the Downingtown, Pennsylvania Area Chamber of Commerce on the occasion of its 60th anniversary.

The Downingtown Area Chamber of Commerce was established in 1945 and then later incorporated in 1947. Throughout the past sixty years, the Chamber of Commerce has worked diligently to represent, assist, and grow the Downingtown business community and, in turn, has become one of the most respected business organizations in Chester County, Pennsylvania.

For the past 60 years, the Downingtown Area Chamber of Commerce has worked to unify and sustain the business community in the area. The Chamber has continually worked hard to maintain a strong economic base in Downingtown and continues to maintain and provide an environment that is appealing not only to businesses and merchants, but also to residents. Because of these strong initiatives demonstrated by the Downingtown Chamber of Commerce and its solid reputation for facilitating economic growth in the area, the Chamber has been instrumental in cultivating Downingtown as “The Good Neighbor Community.”

Today, there are approximately 350 members of the Downingtown Area Chamber of Commerce. The members are comprised of small business owners, industrial companies, professionals, residents, and organizations interested in supporting the activities and principles of the Downingtown community. Moreover, the members are interested in economic prosperity for their community. The Chamber works conscientiously to make sure that Downingtown thrives and prospers.

Mr. Speaker, I ask that my colleagues join me today in honoring the Downingtown Area Chamber of Commerce for its drive and dedication over the past 60 years to provide the citizens of Downingtown with a community that is economically prosperous and building on its past successes for a brighter future.

HONORING THE CONTRIBUTIONS OF LYTLE INDEPENDENT SCHOOL DISTRICT SUPERINTENDENT MICHELLE C. SMITH

HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor the important contributions of Lytle Independent School District Superintendent Michelle Carroll Smith.

Ms. Smith is a product of her hometown school system. She was raised on a farm in Lytle, Texas and graduated from Lytle high school. She graduated from The University of Texas at San Antonio with a Bachelor's degree in Elementary Education. Then, after completing her Master's degree in Education Administration, she became Principal at the elementary school. She later became Assistant Superintendent, and in December 2002, she became the Superintendent of Lytle Independent School District.

Ms. Smith's family has been in the Lytle school district for many years: her father Alfred Carroll graduated in 1961, and her grandmother Theresa Carroll graduated in 1940 from Lytle High School. Her children Trenton and Macy also plan to carry on the family tradition and graduate from Lytle High School in 2013 and 2016.

Mr. Speaker, Lytle Independent School District Superintendent Michelle Carroll Smith is a model of community involvement, and I am pleased to have this opportunity to publicly thank her.

TRIBUTE TO CATHY ANDERSON

HON. ROBERT E. (BUD) CRAMER, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. CRAMER. Mr. Speaker, I rise today to honor one of North Alabama's most compassionate and dedicated leaders, Mrs. Cathy Anderson. Cathy is currently the CEO and President of Woody Anderson Ford in Huntsville, Alabama.

Mrs. Anderson was recently awarded the prestigious Ford “Salute to Dealers” Award. The Salute to Dealers Award was established to demonstrate Ford Motor Company's commitment to its dealers that improve the lives of those in need in their communities. I have known Cathy for many years and cannot think of anyone who deserves this award more than her.

Before she joined her late husband at his Ford dealership, Cathy was a state social worker who worked with abused children and their families. Her work has gone a long way in providing an effective system for intervention and treatment. She continues her work with children today as a strong supporter of the National Children's Advocacy Center in Huntsville.

Cathy is also on the forefront of methamphetamine prevention in North Alabama. In 2004, she hosted a methamphetamine educational forum for hospitality workers in Madison County. Cathy understood that a number of meth labs are found in hotel and motel rooms and organized this forum to help point out the signs of meth abuse and teach others what they can do to help eradicate meth in the community.

Mr. Speaker, Cathy's work with children and methamphetamine abuse is quite remarkable and has helped raise the overall quality of life in North Alabama. I consider it a great privilege to have worked with Cathy on a wide variety of issues and to call her my friend.

On Friday, April 22, the North Alabama community will gather to honor and celebrate all of Cathy's achievements. I rise today, to join in their celebration and to congratulate her on behalf of everyone in North Alabama.

RECOGNIZING THE 9TH ANNUAL YOUTH PRIDE DAY

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Ms. NORTON. Mr. Speaker, Saturday, April 23rd, marks the culmination of Youth Pride Month in Washington, DC with our Ninth Annual Youth Pride Day. Youth Pride Day occurs every April in Washington, DC. It is the annual celebration for gay, lesbian, bisexual, and transgender (LGBT) young people, ages 13-21, over 15,000 youth together since its start in 1997. The celebration has grown from just 900 participants in 1997 to over 2,500 young people last year. Youth Pride Day has evolved from a single day into a series of events which now make April Youth Pride Month. These events include a prom, poetry readings, a film screening, an awards reception, and, on Saturday, the First Annual DC Youth Pride College Fair, the nation's largest LGBT college fair as well as Youth Pride Day itself.

The Youth Pride Alliance sponsors Youth Pride Day. The Alliance was founded in 1996, and its mission is to celebrate the dignity and courage of all young people as they discover their identities as gay, lesbian, bisexual, transgender, or straight.

The Alliance challenges society to stop hate, violence, fear, isolation, and denial as it reminds us that LGBT youth in our nation's Armed Forces, do so under the policy of “Don't Ask, Don't Tell.” While they have sworn to defend the United States with their lives, they must suffer the hate, fear, isolation, and denial this demonstrably untenable policy enjoinders.

We, who live in our nation's capital, feel a special affinity to any group that has been denied the full rights and privileges of United States citizenship most Americans consider their birthrights. I remind the House that Washingtonians, who pay the second highest taxes in America, do so without full voting representation.

I ask this House to join with me in welcoming all those attending Youth Pride Day.

PERSONAL EXPLANATION

HON. RAHM EMANUEL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. EMANUEL. Mr. Speaker, I was not present in the chamber last night to cast my
HONORING THE CONTRIBUTIONS OF LAREDO INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES MEMBER JOSE VALDEZ

HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Laredo Independent School District Board of Trustees Member Jose Valdez. Jose A. Valdez has a long and distinguished career in public service. He is a previous member of the City Council of Laredo, and is active in community governance in a variety of ways.

He promotes community involvement by seniors as the South Texas Coordinator of RSVP, the Retired Senior Volunteer Program. Through his work, seniors have been given a way to continue to contribute to the community in their retirement, improving their quality of life and the quality of life of all those around them.

Mr. Valdez has also been an advocate for a population that is too often forgotten by government: migrant workers. He has been Deputy Director of the Texas Migrant Council, and Executive Director of the Minnesota Migrant Council.

The Laredo Independent School District now benefits from Mr. Valdez’ experience and energy, as he continues his work as a Board of Trustees Member. Mr. Valdez has had an exemplary career in public service and volunteer work. He is a credit to his community, and I am proud to have had the chance to recognize him here today.

TRIBUTE TO CONGRESSMAN TOM BEVILL

HON. ROBERT E. (BUD) CRAMER, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CRAMER. Mr. Speaker, with profound sadness, I rise today to honor the life of my good friend and mentor, former U.S. Representative Tom Bevill. He passed away on March 30, 2005, one day after his 84th birthday.

Congressman Bevill served in this Chamber for the State of Alabama for 30 years. He was the Chairman of the House Energy and Water Appropriations Subcommittee. He was a powerful Congressman, who always remembered the people of Alabama who elected him. Under his chairmanship, he helped ensure that the State received funding for vital programs and projects and did a tremendous amount to improve the overall quality of life for his constituents.

Mr. Speaker, to honor the life and accomplishments of Tom Bevill, we must talk about the person he was. He was a devoted husband and father, a patriot and a statesman.

Mr. Bevill inherited me when I was elected to Congress in 1990. Actually, I had first met him in 1980 when he was getting off of Air Force One with President Carter in Huntsville.

What a distinguished man he was coming down those steps, and I am talking about Tom Bevill. I had just been named Attorney of Madison County and I was meeting the man I had heard so much about, Tom Bevill. A powerful member of Congress and the Chairman of the House Appropriations Subcommittee on Energy and Water.

In 1991, I was a dangerous creature, a freshman Member of the U.S. House of Representatives. Mr. Bevill and his entire office became like family to me. He went out of his way to teach me everything he could and he let other members know that I was his partner, though I knew I was a very junior one.

One of the first legislative battles we fought together was over funding for NASA’S Space Station. I had thousands of jobs at NASA’s Marshall Space Flight Center in Huntsville connected to the space station. A Michigan Member was offering a first amendment to an appropriation bill to kill the whole program, ending my jobs. So a number of us, including Mr. Bevill, organized to defeat the amendment. Mr. Bevill, like a good teacher, sent me to talk to his Michigan Member.

Now Chairman Bevill didn’t do all this work “for me”, he always did it “with” me. In this case, he sent me to talk to the man, alone. I did not know this man, but off I went, and I talked to him, or tried to, and it did not go well at all. This man from Michigan put his hand on my shoulder, grinned and said, “You might as well kiss those jobs goodbye.” He was crude and rude. So I reported this back to Chairman Bevill and he said “You think I would let a truth be known the man is practically a communist. But, we’ll beat him.” And we did. Chairman Bevill was brilliant on the floor during the debate. We saved those jobs and probably mine too. And the Space Station is out there in Space. But, I sure learned a lot from Tom Bevill.

I can see him now. Always neatly dressed, hard at work for his Alabama and his Country. Chairman Bevill was from a different, and I have to say better era. A time in the U.S. House when people stood even if they were courteous to one another. They might disagree and often did, but they walked away as friends. And they did it with dignity.

Tom Bevill was always at the Thursday morning prayer breakfast. He sat in the same place every week with his friends. He took me with him the first time I went and I was and am a better person for it. He showed me where members of Congress could eat lunch in the Capitol. As often as I could I would eat there, watching and learning.

Tom Bevill trusted and his friends. Members were always trying to talk to Tom Bevill, to ask him for something, and he was always kind and courteous.

The Alabama delegation, seven of us, would tend to gather at every vote in the same area of the House chamber. We would watch our votes and every now and then he would make a comment. A careful comment—“Bud, are we ‘being a politician today or a statesmen?’” or “I find that ‘our’ people in Alabama don’t see this issue the way some do . . . “ Offering wonderful, helpful, wise advice, that was the kind of man he was.

And so, every now and then some, not many, will say to me in my district in North Alabama, “You are going to be another Tom Bevill,” or at least that’s the way I hear it in my mind. They probably actually say, “You keep this up and you ‘might’ be another Tom Bevill.” Then I know, that after 15 years, I have heard the best compliment one could pay . . . To be compared to Tom.

He gave us so much and I will miss him dearly.

To his children, Susan, Don, and Patty, thank you for letting us share him with you and your families.

Mr. Speaker, I rise today on behalf of everyone in North Alabama, to show my thanks to Congressman Bevill and honor him as a true American leader. There won’t be another one like Tom Bevill.

PEST MANAGEMENT AND FIRE SUPPRESSION FLEXIBILITY ACT

HON. C.L. “BUTCH” OTTER
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. OTTER. Mr. Speaker, I rise today to introduce the Pest Management and Fire Suppression Flexibility Act. This bill codifies the Environmental Protection Agency’s rule-making, while affirming Congressional intent and the long-held positions of Republican and Democrat administrations with regard to the Clean Water Act and pesticide applications, fire suppression and other pest management activities. I am pleased to be joined by 28 members in introducing this legislation.

Congress passed the federal Clean Water Act (CWA) in the early 1970s in an attempt to better account for and more closely regulate discharges of municipal wastes and pollutants into our nation’s waterways from large industrial facilities.

More than 30 years later, however, federal courts have expanded the scope of the CWA far beyond the original intent of Congress. Today, family farmers, mosquito-abatement and pest-control districts, irrigators, rural water districts, federal and state agencies, foresters, pest and lawn-care control operators and many others are subject to unnecessary, bureaucratic permitting requirements and nuisance lawsuits based on the overly broad interpretation of the CWA by the 9th U.S. Circuit Court of Appeals. Known as the Talent and Forsgren decisions, the court ruled that persons applying a pesticide according to the federal approved label directly to or above a body of water must obtain a CWA permit prior to the application.

The Forsgren decision also significantly narrowed a longstanding Environmental Protection Agency (EPA) rule exempting forestry activities such as pest and fire control from CWA permitting requirements. Similar cases are pending in other parts of the country.

The court’s viewpoint in Talent bluntly disregards the comprehensive pesticide registration process required by the primary federal pest control court in Talent relied heavily on in rejecting the suit. Failing to use a pesticide in accordance with its EPA-approved labeling is a violation of federal and state laws.

Today, family farmers, mosquito-abatement and pest-control districts, irrigators, rural water districts, federal and state agencies, foresters, pest and lawn-care control operators and many others are subject to unnecessary, bureaucratic permitting requirements and nuisance lawsuits based on the overly broad interpretation of the CWA by the 9th U.S. Circuit Court of Appeals. Known as the Talent and Forsgren decisions, the court ruled that persons applying a pesticide according to the federal approved label directly to or above a body of water must obtain a CWA permit prior to the application.

The Forsgren decision also significantly narrowed a longstanding Environmental Protection Agency (EPA) rule exempting forestry activities such as pest and fire control from CWA permitting requirements. Similar cases are pending in other parts of the country.

The court’s viewpoint in Talent bluntly disregards the comprehensive pesticide registration process required by the primary federal pest control court in Talent relied heavily on in rejecting the suit. Failing to use a pesticide in accordance with its EPA-approved labeling is a violation of federal and state laws.
EPA does not issue CWA permits solely for the direct application of a pesticide to target a pest that is present in or over water, nor has it ever stated in any general policy or guidance that a permit is required for such applications. EPA recently issued rulemaking specifically exempting pesticide applications performed according to label instructions from CWA permitting requirements. The action would codify a 30-year-old policy.

By transferring the primacy of pesticide use from FIFRA to CWA, the 9th Circuit has authorized attorneys representing activist groups to file lawsuits to bully and intimidate farmers, mosquito abatement districts, the U.S. Department of Agriculture and others into ceasing long and widely practiced activities that have been authorized by—and already are closely overseen by—Federal and state governments.

While the EPA's rulemaking is a step in the right direction, many groups are concerned that it will not provide the necessary protection from activist lawsuits. The legislation I am introducing today would make permanent the EPA's current rulemaking related to pesticide applications and CWA permits as well as its 30-year-old rule exempting certain forestry activities. Moreover, it would provide much-needed protection from nuisance suits for groups that already are too heavily regulated.

**INTRODUCTION OF THE STOP SENIOR HUNGER ACT OF 2005**

**HON. FRANK A. LOBIONDO**
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Mr. LOBIONDO. Mr. Speaker, I rise here today in support of the “Stop Senior Hunger Act of 2005.” This important piece of legislation reauthorizes vital senior nutrition programs. These programs help these men and women in cities, suburbs and rural communities across America who are elderly, homebound, disabled, frail or at risk. They help those with long-term illnesses and those who may just need a little short-term assistance after a hospital stay or during a time of need.

In the words of the Meals-on-Wheels Association of America, the oldest and largest national organization representing senior nutrition programs, these men and women have an income below $18,000. Whatever the reason, she cannot shop, cook, or prepare meals for herself. She relies on Meals on Wheels and other senior nutrition programs to ensure she gets proper nutrition.

The demand for the services Meals on Wheels and other senior nutrition programs provide will continue to increase at an astounding pace. As many of you know, the over 65 population in the United States is growing and is projected to increase dramatically. In fact, those individuals age 85 or older, is the fastest growing segment of the entire United States population.

Meals on Wheels and other senior nutrition programs are also an excellent use of our increasingly scarce federal dollars. They save federal Medicare, Medicaid, and veterans’ health care costs since malnourished patients stay in a hospital nearly twice as long as well nourished seniors. In addition, for every federal dollar spent as part of these programs as much as three dollars are leveraged from other funding sources, including state, local and private funds and participant contributions toward the cost of meals.

I was proud to participate in the Meals on Wheels Association of America’s “March for Meals” last month. I joined volunteers from Meals on Wheels of Salem County, New Jersey in delivering meals and witnessed first hand both the need for these important programs and the incredible dedication of their staff and volunteers. I encourage each of you to get involved with your local programs—whether you help prepare meals, deliver meals, or just join local seniors in enjoying their meals—your support can make a difference.

For all of these reasons, I urge my colleagues in the House to support the “Stop Senior Hunger Act of 2005.”

**HONORING THE CONTRIBUTIONS OF FRIKO COUNTY COMMISSIONER JOSE “PEPE” FLORES**

**HON. HENRY CUELLAR**
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Frio Pre-cinct Four County Commissioner Jose “Pepe” Flores.

Mr. Flores has a strong and varied background in public service. He graduated from Dilley High School, and from Sul Ross University in 1970 with a Bachelor's Degree in Chemistry. He subsequently received his certification as a Medical Technician.

He has worked as a drug abuse counselor, a college teacher at the University of Texas, and a Halliburton Oilfield Engineer, among other professions. He has also been part of several important community organizations, including the Tax Appraisal District, the Rio Grande Water District, and the Dilley Independent School District School Board.

Mr. Flores now serves the public as County Commissioner for Frio County. He owns and operates a ranch in South Texas, and is married to Jennifer Flores, with whom he has two children.

Mr. Flores has distinguished himself as an energetic, hardworking, and versatile businessman and public servant.

The city of Dilley and the people of Frio County have benefited greatly from the work he has done, and I am proud to have the chance to thank him here today.

**TRIBUTE TO LAWRENCE DUNHAM**

**HON. DONALD M. PAYNE**
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Mr. PAYNE. Mr. Speaker, I rise to honor Laird & Company on its 225th Anniversary as a family, owned and operated New Jersey business located in Scobeyville, New Jersey. Laird & Company is the oldest licensed distiller in the United States and is most well known for its famous Applejack.

The history of Laird & Company is very rich. The company can trace its origin back to 1698 when William Laird moved to Monmouth County, New Jersey from Scotland and began making Scotch by using one of the most abundant resources in the area, apples. He made this brandy for his own family, friends and neighbors.

During the Revolutionary War, Robert Laird served under George Washington and during the Battle of Monmouth, the Laird family would supply the troops with Applejack. Washington enjoyed Applejack during World War II to aid in the war effort by converting their plant to dry and dehydrate apple pomace for pectin and other products.

Laird & Company was recognized by the New Jersey State Senate in 1964 as the “oldest native distilled spirit beverage in the United States.” The plant in Scobeyville, New Jersey is the oldest operating distillery in the country and it produces close to 1.5 million cases of distilled spirits annually.

I rise today to commend Laird & Company in its 225th year as a family owned and operated business with a deep history. I applaud the service that Laird & Company has made to the individuals and communities of Central New Jersey and the country.
sides of the aisle for his expertise, organizational ability, and exceptional diplomatic skills. During his distinguished career, Larry—as he is known by his friends—managed relations with foreign embassies in Washington and consulates throughout the United States, handling issues of accreditation, privileges and immunities, under international law. As a senior career officer in the bureau, he resolved sensitive cases involving diplomatic immunity, recognition of foreign officials, and establishing and breaking relations. He also organized participation of foreign government representatives in major national events, leading a team which arranged for more than 80 delegations from abroad and 180 ambassadors representing foreign governments to attend the State Funeral of former President Reagan. Mr. Dunham represented the State Department on television and radio broadcasts, in meetings with Congressional staff, journalists, and as an expert witness. He served as a speaker to groups including the International Association of Chiefs of Police, National Association of Secretaries of State, Smithsonian Associates, spouses of new foreign ambassadors, and consular corps throughout the United States. Among the awards he received were the Superior Honor Award for outstanding service in upholding international legal principles; Meritorious Honor Awards for initiative and leadership in monetary conservation and improvement in efficiency, and for outstanding managerial skills in restructuring work and improving services; the Secretary’s Certificate of Recognition; the Commanders’ Cross, Austria; and the Order of Queen Isabella, Spain.

A graduate of George Mason University School of Law, Mr. Dunham and his lovely wife Deborah reside in Annandale, Virginia. He is being honored on Friday, April 22, 2005 at an event at the DCONS-Bacon House in Washington, D.C. which will be attended by a number of ambassadors representing nations which he has assisted during his career.

Mr. Speaker, I know my colleagues here in the U.S. House of Representatives join me in congratulating Larry Dunham on his retirement and in expressing our appreciation for his many years of exemplary service to our Nation.

HONORING THE DISTINGUISHED SERVICE OF BILLY PAUL CARNEAL

HON. BART GORDON
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. GORDON. Mr. Speaker, today I rise to honor Billy Paul Carneal, a Springfield, Tennessee, native who has dedicated his life to public service and the past 1½ years as the executive director of the Springfield-Robertson County Chamber of Commerce. Billy Paul has decided to retire from the chamber, and I want to thank him for all he has done for his community, which I have the honor of representing in this esteemed body.

Billy Paul has served as a teacher in Robertson County, a school principal, and a senior career officer in nearby Cheatham County, the mayor of Springfield and a volunteer firefighter. In addition, he currently serves as a Robertson County commissioner. Billy Paul’s contributions to his community can be traced to his grandfather, R.W. Darke, who was a member of both houses of the Tennessee General Assembly and the city clerk for Springfield.

Billy Paul’s service as a public school teacher and administrator is especially admirable. He says he became an educator because his teachers in high school and college served as excellent role models for him. He then passed his own passion for case history and government to a new generation. Today, his former students are doctors, lawyers, public officials and teachers.

As mayor of Springfield, Billy Paul was instrumental in changing the city’s form of government from three at-large commissioners to a board of mayor and aldermen, with a city manager to oversee operations. He says the decision to seed the change in government was one of the toughest he made as mayor.

Billy Paul’s latest contribution to his community involved a very successful tenure as the executive director of the chamber. In this capacity, he improved immensely the quality of life for Robertson County residents. But Billy Paul did not do all this alone. He had help from many in the community, and he had the love and support of an understanding wife and family. He attributes the support of his wife, Pat, and their three children for his accomplishments. Billy Paul, I wish you well in your future endeavors and thank you for your service to a community you obviously cherish.

HONORING NICHOLAS P. GODICI

HON. JAMES P. MORAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. MORAN of Virginia. Mr. Speaker, I rise today to honor Nicholas P. Godici, a distinguished public servant who is retiring after more than 32 years of exemplary service with the United States Patent and Trademark Office (USPTO). In 2000, Commissioner Godici was appointed by the Secretary of Commerce as the first Commissioner for Patents under the American Inventors Protection Act of 1999. That Act rechartered the USPTO and made the most significant changes to the United States Patent and Trademark Office.

Mr. Speaker, I know my colleagues here in the U.S. House of Representatives join me in congratulating Larry Dunham on his retirement and in expressing our appreciation for his many years of exemplary service to our Nation.

HONORING THE CONTRIBUTIONS OF AMANDA JENNER, BRIESMEISTER MIDDLE SCHOOL TEACHER OF THE YEAR

HON. HENRY CUellar
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Amanda Jenner, Briesmeister Middle School Teacher of the Year.

Amanda Jenner received a Bachelor of Science in Elementary Education with a specialization in math from Southwest State University.

Ms. Jenner, who is also a former graduate of Seguin High School, understands the unique needs of her students. She prefers to look at every new day as an opportunity to learn from new experiences. As a teacher, she encourages her students to look at life’s challenges in new and creative ways.

Math is important for success in later life, and Ms. Jenner believes that it is important to make the subject practical and even fun. She believes in the importance of having a good sense of humor and reaching students on a personal level.

I am proud to have had the chance to recognize Briesmeister Middle School Teacher of the Year, Amanda Jenner. Her unique teaching style and personal approach help to create a healthy learning atmosphere for our children.

PERSONAL EXPLANATION

HON. PATRICK J. KENNY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. KENNEDY of Rhode Island. Mr. Speaker, during the day of April 20, I traveled to Rhode Island to attend the Funeral Wake of Providence Police Officer Allen. During this time I missed several rollcall votes. I respectfully request the opportunity to record my position on rollcall votes.

It was my intention to vote: “no” on rollcall No. 112, H. Res. 219. I would have voted “no” because this rule and this bill represent an unfunded mandate that shifts $30 billion in clean-up costs of MTBE pollution in the drinking water supply to State and local governments. “Yes” on rollcall No. 113, H. Con. Res. 126: expressing the condolences and deepest sympathies of the Congress in the aftermath of the recent school shooting at Red Lake High School in Red Lake, Minnesota. “Yes” on rollcall No. 114, H. Res. 228: recognizing the University of Pittsburgh and Dr. Jonas Salk on the fiftieth anniversary of the milestone discovery of the Salk polio vaccine, which has virtually eliminated the disease and its harmful effects.

At this time I would ask for unanimous consent that my position be entered into the RECORD following those votes or in the appropriate portion of the RECORD.
aspects of the patent granting process. Since his appointment to Commissioner, he has represented the United States in a number of international negotiations involving intellectual property rights, and testified before Congress on a variety of patent issues and USPTO operations. He was also the Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the USPTO from January to December 2001.

I am honored to have this opportunity to publicly commend a dedicated public servant on the occasion of his retirement. Nicholas Goidic was the exemplar of a career public servant, and I wish him all the best in his future endeavors.

CELEBRATING EARTH DAY—SENATOR GAYLORD NELSON’S LEGACY

HON. DAVID R. OBEY
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. OBEY. Mr. Speaker, Earth Day is a great day to call attention to the many environmental public health challenges that face everyone of us. One was established by Wisconsin’s own Senator Gaylord Nelson on April 22, 1970, it stands as an annual reminder that as human beings we should recommit ourselves to his vision of a world where we demonstrate a mutual respect for one another by not fouling the nest and preserving the fragile planet we share.

The 35th anniversary of Earth Day is a sobering occasion. On previous anniversaries we have hailed this “new awakening” as millions around the world suddenly rose up and pledged their support for a new campaign to save the natural environment.

In 1993 American Heritage magazine called Earth Day “one of the most remarkable happenings in the history of democracy” because it has become, of course, particularly in public awareness of the critical role environment plays in our lives and in the education and training of new environmental leaders. Environment has become a major political issue. The public is prepared to support those measures necessary to forge a sustainable society. It is the President and the Congress have the vision to lead us to that goal.

Unfortunately, the President and the Congress have not stepped up to the challenge of providing national and world leadership on the environmental crisis.

In fact, on some key issues, they are actually resisting or reversing progress made in the past 30 to 40 years. And without strong, sustained leadership from the President and Congress the urgent challenge to protect the environment and create a sustainable society cannot succeed. Theodore Roosevelt made conservation a top priority for the Republican party, and many members of his party carried that torch over the years.

But in the past 30 to 40 years, without strong, sustained leadership from the President and Congress the urgent challenge to protect the environment and create a sustainable society cannot succeed. Theodore Roosevelt made conservation a top priority for the Republican party, and many members of his party carried that torch over the years. But in the past 30 to 40 years, without strong, sustained leadership from the President and Congress the urgent challenge to protect the environment and create a sustainable society cannot succeed. Theodore Roosevelt made conservation a top priority for the Republican party, and many members of his party carried that torch over the years.

Equally critical is the failure of the President and Congress to confront the issue of population control, in our own rapidly growing country and the rest of the world. A “Rockefeller Report” in 1972, issued by the President’s commission on population growth, urged the U.S. to move vigorously to stabilize our population at about 200 million as rapidly as possible. Then our population has ballooned to 292 million, and is expected to reach 500 million between 2060 and 2070. We are heading into a century in which we will double and triple our population in a short time.

World-wide population projections are equally chilling. A series of international conferences have called for bold action to control population growth. Yet the United States in recent years has become an aggressive opponent of family planning programs in other countries, and we are now facing efforts by some “new conservatives” to impose similar restrictions at home.

On previous Earth Days we have offered a solution: The President should set the standard by delivering a message to the Congress and the American people on the need to take action, citing priorities that need to be addressed. Congress then should hold hearings on these issues.

This would produce a “national dialogue” on the sustainability of our environment, and provide a roadmap to the future.

Without Presidential leadership and Congressional hearings, we cannot claim to be taking seriously the most compelling threats facing our society.

On environmental issues, our intelligence is reliable. Our scientists have the facts, if we will only listen. It is a “slam dunk” that we cannot continue on our present course.

But without the leadership of the President and the Congress, even an enlightened public cannot cope with the greatest challenge of our time.—Gaylord Nelson, Washington, DC April 2005.

HONORING THE CONTRIBUTIONS OF BARBARA HANSON NELLELMOE

HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize Forty-fifth District Court Judge Barbara Hanson Nellelmoe for her commitment to the Bexar County Community.

For ten years, Judge Nellelmoe has been representing clients in environmental, banking, securities, medical malpractice, and other types of commercial litigation. Helping others in need is Judge Nellelmoe’s top priority and she has done a great job of it for the people in her community. Rated A-V by the Martindale-Hubbell national legal directory, she has received such awards as the President’s Award for Outstanding Service to the San Antonio Bar Association and the Belva Lockwood Outstanding Lawyer Award from the Bexar County Women’s Bar Association.

In addition to her total commitment to her current position as Forty-fifth District Court Judge, Barbara also serves on the board of directors for the College of the State Bar of Texas and is the Editor in Chief of San Antonio Lawyer magazine.

Judge Nellelmoe is an irreplaceable citizen of Bexar County. I am pleased to have the chance to honor her here today.

ARME...
I congratulate the Oncology Nursing Society (ONS) on its 30th Anniversary. ONS is the largest organization of oncology health professionals in the world, with more than 31,000 registered nurses and other health care professionals. Since 1975, ONS has been dedicated to excellence in patient care, teaching, research, administration and education in the field of oncology. The Society’s mission is to promote excellence in oncology nursing and quality cancer care. To that end, ONS honors professionals with access to the highest quality educational programs, cancer-care resources, research opportunities and networks for peer support. ONS has two chapters in my home state of Connecticut, which help oncology nurses provide high quality cancer care to patients and their families in our state.

Cancer is a complex, multifaceted and chronic disease, and people with cancer are best served by a multidisciplinary health care team specialized in oncology care, including nurses who are certified in that specialty. Each year in the United States, approximately 1.37 million people are diagnosed with cancer, another 570,000 lose their battles with this rife disease, and more than 8 million Americans count themselves among a growing community known as cancer survivors. Every day, oncology nurses see the pain and suffering caused by cancer and understand the physical, emotional, and financial challenges that people with cancer face throughout their diagnosis and treatment.

Over the last ten years, the setting where treatment for cancer is provided has changed dramatically. ONS has created 80 percent of all cancer patients receive care in community settings, including cancer centers, physicians’ offices, and hospital outpatient departments. Treatment regimens are as complex, if not more so, than regimens given in the inpatient setting a few short years ago. Oncology nurses are involved in the care of a cancer patient from the beginning through the end of treatment, and they are the front-line providers of care by administering chemotherapy, managing patient therapies and side-effects, working with insurance companies to ensure that patients receive the appropriate treatment, provide counseling to patients and family members, in addition to many other daily acts on behalf of cancer patients.

I appreciate oncology nurses’ dedication to our nation’s cancer patients, and commend the Oncology Nursing Society for all of its efforts and leadership over the last 30 years. They have contributed immensely to the quality and care for all cancer patients and their families, and I urge my colleagues to support them in their important endeavors.

DR. PATRICIA SENN BREIVIK HONORED FOR HER ESTEEMED SERVICE AS DEAN OF THE UNIVERSITY LIBRARY AT SAN JOSE STATE UNIVERSITY

HON. ZOE LOFgren OF CALIFORNIA IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Ms. LOFGREN of California. Mr. Speaker, I rise today to recognize the achievements of Dr. Patricia Senn Breivik as she retires from her position as Dean of the University Library at San Jose State University. Dr. Breivik’s was a leader of the collaboration between the San Jose Public Library and the San Jose State University—a merged library that opened in August 2005. As a result, the Dr. Martin Luther King, Jr. Library reconceives the spirit of Silicon Valley as an innovative model serving as the area’s 21st century information hub.

It took 6 years to propose, plan, and execute the idea that evolved during a breakfast meeting between former San Jose Mayor Susan Hammer and former San Jose State University president Robert Caret. After Dr. Breivik inherited the idea, she went to work with the director of the San Jose Public Library to establish a center of exploration and learning that would serve the University’s 27,000 students, 1,153 faculty and a busy city of 924,950 people.

During the time of the planning of this jewel, both libraries faced a steady erosion of support as a result of the passage of Proposition 13. In addition to shrinking coffers, the libraries also faced the challenge of having to remain open substantially more hours than either libraries had previously offered because of its increased patronage. Now, not only is the King Library co-owned and co-managed, it has one online system and one website. Library materials are accessible to all users and the staffs work together in technical services, reference, circulation and Information Technology support.

Within a year of its opening, the King Library garnered a number of prestigious awards. Among them is the 2004 Gale/Library Journal Library of the Year Award that was presented for innovative collaboration and acknowledged the cooperative planning between university and city officials in risk-taking and vision.

The King Library is one of the precious jewels of San Jose’s cultural “necklace” of treasured museums, theaters, and historical landmarks. It serves as a place for friends to meet for a cup of coffee and discuss the latest marks. It serves as a place for friends to meet for a cup of coffee and discuss the latest marks. It serves as a place for friends to meet for a cup of coffee and discuss the latest marks. It serves as a place for friends to meet for a cup of coffee and discuss the latest marks. It serves as a place for friends to meet for a cup of coffee and discuss the latest marks. It serves as a place for friends to meet for a cup of coffee and discuss the latest marks.

The Kensington Community Store, Incorporated. This organization was created to oversee the construction and development of a non-profit community grocery store with noon deli.

HONORING THE CONTRIBUTION OF WEBB COUNTY DISTRICT CLERK MANUEL GUTIERREZ

HON. HENRY CUELLAR OF TEXAS IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor the contributions and achievements of District Clerk Manuel Gutierrez, who has served the citizens of Webb County for 24 years.

Manuel Gutierrez is not only a model of professional success, but a model citizen. He has been reelected by the voters since he began his service; in fact, he has the distinction of currently being the longest-serving elected official in Webb County.

He brings to his work the passion and experience he has gained over the years. He strives to improve himself through continuing education and professional enrichment. These efforts are evident through his superverative work and the trust the citizens put in him.

During his tenure, he has overseen improvements to the operations of his office that resulted in increased efficiency in a number of areas, most notably the call process. The community is truly appreciative of innovators who streamline functions that save the taxpayers money, and he proves this time and again.

Manuel’s wife, Esther, is employed with the Laredo Independent School District, and they form a couple who are dedicated to the betterment of their community. He has three children, Monica, Manuel Jr., and Miguel who doubtlessly are very proud of their parents.

Mr. Speaker, I am proud to speak in honor of Manuel Gutierrez, a true citizen who deserves the praise and gratitude of his community.

KENSINGTON COMMUNITY STORE SUCCESS STORY

HON. JERRY MORAN OF KANSAS IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. MORAN of Kansas. Mr. Speaker, I rise today to recognize the selfless efforts of the citizens of Kensington, Kansas in their work to re-open their community’s grocery store.

A little more than 19 months ago, this community’s only grocery store closed. This town of 511 people immediately felt the loss of the store. Residents no longer had local access to basic necessities such as dry goods and fresh cuts of meat. The closest grocery store was in the Manhattan seat of San Patricio County, nearly 15 miles away. I know that most Members of Congress do not have to concern themselves with whether their communities have a grocery store. However, for many of the communities in my district, keeping the local grocery store open is a constant struggle.

The citizens of Kensington decided to take action. Following a community meeting, board members were elected to form the Kensington Community Store, Incorporated. This organization was created to oversee the construction and development of a non-profit community grocery store with noon deli.

Since that time, support for the project has been impressive and inspiring: the Kensington city council committed to construct a 60’ x 75’ steel building; several lots of ground were donated for building construction; community “work nights” were held to ready the store for opening; Vo-tech classes at the local high school constructed metal and wood shelves; the local Lions Club assisted with interior construction of the store.

All totaled, more than $130,000 has been raised to support the project, all donations of all sizes have come from more than 250 individuals, businesses, clubs and foundations. The final piece of the puzzle fell into place when an agreement was reached to share wholesale supply delivery dates with a grocery store in a community 27 miles down the road. The agreement allowed the Kensington to sell merchandise at competitive prices.

Thanks to a team effort, the Kensington Community Store is now a reality. According
to John Struckhoff, chairman of the committee that organized the project, having a grocery store back in town provides an anchor business that can be used to attract other businesses to Kensington. It also helps stabilize property values and provides citizens of all ages a place to purchase groceries without having to leave town.

Mr. Struckhoff also noted that the whole experience has resulted in other benefits. "It is amazing how many individuals and groups donated money and time to this project," Struckhoff said. "This shows how a small town in Kansas can come together to support a project that provides a common good to all citizens. It really makes you proud to live in Kensington."

All across the State of Kansas are stories just like this one. Of neighbors helping neighbors, not because they have to, but because they want to. Because it is the right thing to do. Their efforts deserve our support and recognition.

Citizens throughout the First Congressional District of Kansas are working together to enhance the quality of life in their communities. The Kensington Community Store is a success story that demonstrates how teamwork and creative thinking can make a positive difference in rural America.

IN RECOGNITION OF 'HERO OF THE STORM' NOMINEES

HON. JOHN T. SALAZAR
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. SALAZAR. Mr. Speaker, I rise today to honor the crew of the St. Mary's Hospital Careflight Unit in Grand Junction, Colorado. Pilot Richard Fowler, Nurse Mary Bagshaw and Bradley Brown have been nominated for the Hero of the Storm award, in recognition of their courageous actions when their medical airlift plane was downed in the Rocky Mountains during a winter storm. The crew defied the odds, survived in the freezing weather and saved the life of a 2-year-old patient already in poor condition.

I am humbled by their strength and perseverance in the face of such hardship. We all salute the bravery of these three extraordinary people, who risked their lives to save others. These everyday citizens embody the values of courage and duty and we should all live by their example.

HONORING THE CONTRIBUTIONS OF FRIO COUNTY CONSTABLE TED NIETO

HON. HENRY CUellar
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Frio County Constable Ted Nieto for his exceptional career in law enforcement.

Ted Nieto was elected as the Constable for Precinct Four in January 2004, but has been actively serving his community for the last ten years. He received his law enforcement certification at Southwest College and is currently working to obtain his police license from San Antonio College.

He believes in establishing a solid law enforcement agency that is committed to the needs of the community, and has devoted his department to serve the public with honesty and integrity.

Constable Nieto is an excellent example of an elected official who understands the needs of his community. The mission for his department is to promote safety in the community by enforcing court orders, supporting early intervention activities, and to work together with neighboring law enforcement agencies.

Constable Nieto is a man who believes in the value of community involvement and intervention. Currently he is the District 19 region coordinator for the Special Olympics of Texas. As well as the present coordinator for the annual law enforcement torch run and the youth leader for the Catholic Youth Organization.

Constable Nieto has four children, Jeddlin and Christina age 18, Shantelle age 10 and Issiah age 6.

Mr. Speaker, I am proud to honor Frio County Constable Ted Nieto for his dedication and service to the community.

IN HONOR OF MS. ELEANOR WASSON'S 97TH BIRTHDAY

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. FARR. Mr. Speaker, I rise today to congratulate a truly remarkable woman who is celebrating her 97th birthday this month. Ms. Eleanor Wasson, a woman locally known as the "great connector" originally lived in Beverly Hills with her husband, the head of the legal department for 20th Century Fox movie studio. There, Ms. Wasson mingled with friends such as Celeste Holm, Claudette Colbert, Betty White and Will Rogers. In between volunteering, caring for her children, and working as an activist, she was named the Coordinator of Volunteer Services for UCLA, and was also appointed to California Governor Earl Warren's Mental Health Commission.

After her beloved husband, George, passed on, Eleanor decided to sell her home in Santa Monica Canyon and move to Santa Cruz at the age of 81. A woman deeply committed to the community around her, Ms. Wasson has adopted several causes to make the world a better place. She has served on the boards of both Earth Save and Women Rise for Global Peace. Her activism is rooted in her desire to work for peace, having been deeply affected by WWII as a child.

Mrs. Wasson's kindness and acceptance for others is truly legendary. Weekly, she invites both a local Catholic Priest and Robert White, an elder of the Lakota Tribe, to discuss local and global concerns. While living in Los Angeles, she asked famous actors such as Reginald Denny, Leon Ames, and Tyrone Power to dance with women at the psychiatric ward where she was volunteering her time.

In addition, being a peace activist, a volunteer, and mother, Mrs. Wasson is also an author. She has written a successful autobiography entitled 28,000 Martinis, published in January 2004. In 28,000 Martinis, Mrs. Wasson's positive and optimistic approach to life is captured, ultimately lending her energy, vibrancy and creativity to all who read the book. Through her own life story, she is able to demonstrate that goodwill, knowledge and action are the keys to enriching one's own life, as well as those around you.

Mr. Speaker, I would like to express my deepest gratitude and admiration for this vibrant and loving woman. Eleanor's social and environmental activism and her kindness towards all have infinitely improved the culture and character of the 17th district. I am honored to wish her a happy 97th birthday on behalf of myself, and the community that values and loves her.

COMMEMORATING THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. JIM COSTA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. COSTA. Mr. Speaker, I rise today to commemorate the 90th anniversary of one of history's most terrible tragedies, the Armenian Genocide. On April 24, 1915, 300 Armenian leaders, intellectuals and professionals were rounded up in Constantinople, deported and killed, under orders from the Young Turk government. This was the beginning of a campaign of terror resulting in the deaths of 1.5 million Armenians and the deportation of more than 500,000.

The government of the Ottoman Empire justified this policy by claiming it was necessary to suppress revolts being launched by Armenians as a consequence of the ongoing military operations of World War I. This assertion was patently denied by survivors and witnesses. United States Ambassador to the Ottoman Empire Henry Morgenthau reported at that time, "Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eyewitnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion."

Not content with perpetrating this atrocity, the Young Turks denied the genocide had taken place. Generations have since been raised denying this tragedy. Such denials are refuted by the archival documents and firsthand accounts found in such recent scholarly works as Peter Balakian's The Burning Tigris and Samantha Power's A Problem From Hell. Director Atom Egoyan presented the horror of the siege of Van in his film Ararat, which was based, in part, on the memoirs of Clarence Ussher, an American physician and missionary working in Turkey at the time. To those who suggest that this ruthless genocide of a people and culture did not happen, I ask, what further testimony could the world possibly want?

Mr. Speaker, for myself and my constituents, I rise today to urge the world not to accept this genocide as a fact. Only then can we move forward and stop these atrocities from repeating themselves over and over again.
HONORING THE CONTRIBUTIONS OF JIM CARSON

HON. HENRY CUellar
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CUellar. Mr. Speaker, I rise to recognize the many accomplishments of Jim Carson, the Seguin High School Physical Education Teacher and Head Football Coach.

Coach Carson has been teaching for thirty years, two of which were spent with San Antonio Independent School District as head football coach of the Seguin Matadors. Coach Carson received his Bachelor of Science in Physical Education from Texas Tech University and a Master’s degree from Sul Ross State University. Coach Carson has a special place in his heart for his students, and has made a significant impact on them.

Coach Carson says that the most rewarding part of being an educator is working with young people as they grow into productive citizens. He creates an environment by tutoring and guiding them through crucial years of their development, which is a responsibility that should not be taken lightly. He expects the coaches who work for him not only to guide each student through their journey but to take an active part and know what is happening in each student’s life. Coach Carson says that as part of a sports coaching program, tutoring, counseling and listening to whatever the young man or woman needs is provided.

Through his initiative, energy, and commitment, Coach Carson proves to be an exemplary teacher and coach, and a blessing to the people in his high school and community in Seguin. I am pleased to have the chance to honor him here today.

TRIBUTE TO DOROTHY L. MOORE

HON. BENJAMIN L. CARDIN
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CARDIN. Mr. Speaker, I rise today to pay special tribute to Dorothy L. Moore upon her retirement as Executive Director of the Howard County Community Action Council. A lifelong resident of Howard County, Maryland, Dottie has devoted her life to improving our community.

Dottie began her 36-year career with the Community Action Council as a caseworker in 1969. As Executive Director of the agency, she administered an annual budget of $1.3 million. Dottie was instrumental in developing Howard County’s first Senior Programs for African Americans and the first shelter for homeless persons. She was also important in the development of Howard County’s first Homeless Care program, Mentoring Program for African-American males, the Family Support Center at Hilltop and Healthy Families Howard County.

One of Dottie’s greatest achievements was the 2002 opening of the Dasher Green Head Start Center. Her many community involvements, two of which were spent with San Antonio Independent School District as chair of the Howard County Human Rights Commission, and, in 2001, she was inducted into the Howard County Women’s Hall of Fame.

Dottie has also turned her attention to international concerns. She has been involved in efforts to fight poverty and provide educational opportunities for children in Ghana and Zimbabwe. In 2001, her work was recognized by Ghana when she was crowned Queen Mother of the Breto Clan in Asiawka, where she is spearheading efforts to build a preschool and school.

I urge my colleagues in the U.S. House of Representatives to join me in celebrating the achievements of Dottie Moore. Her commitment and dedication to our community has been an inspiration to all of us.

PAYING TRIBUTE TO THE AMERICAN FORUM FOR GLOBAL EDUCATION

HON. MAURICE D. HINCHey
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. HINCHey. Mr. Speaker, at no time in our nation’s history have Americans been more connected to the world than we are now—by trade and finance, media and culture, crisis and conflict. Yet there is mounting evidence that today’s young students are ill equipped by our education system to serve themselves, or their country, in the international arena. It’s no surprise that Bill Gates recently termed America’s high schools as “obsolete” and as relevant as a 1950s mainframe computer.

A recent Gallup poll of 13- to 17-year-olds revealed that less than half could link Napoleon, Churchill and Indira Gandhi to their native countries. One in three could not identify Hitler with Germany. A Stanford University study notes that, while high school attendance broadened to near-universal enrollment over the last century, “students” ignorance of history has marched stolidly in place.”

I therefore am pleased to honor one organization dedicated to broadening the international focus of our education system, the American Forum for Global Education, which celebrates its 35th anniversary this year. The American Forum has been working to close the ignorance and apathy gap for hundreds of thousands of K-12 students for more than a generation. They have led the nation in shaping American teaching systems and providing opportunities for worldwide interaction and learning.

The American Forum has developed programs in partnership with the United Nations and the U.S. Departments of State and Education; other programs have dispatched scores of teachers and students to China, Turkey, Morocco, Vietnam and other important but relatively neglected outposts.

The American Forum’s China Project is an excellent example of the organization’s commitment to promoting a 21st century education. It addresses, in part, a Christian Science Monitor editorial citing Chinese as “a critical language . . . Without an emerging generation of Chinese speakers, the U.S. faces growing holes in intelligence gathering, trade relations, and cultural understanding.”

Chinese is the mother tongue to 874 million people (comprised to 341 million who speak English), but far too few American children study it.

China Project participants are notable exceptions. Vanessa Baehr-Jones, a Tufts University graduate who majored in Chinese, is now looking for a government position to utilize her second-language skills. “Without the (American Forum’s) China trip,” she writes, “I would never have ended up studying the Chinese language.” Patrick Franco, an Oxford University graduate, credits the program with his interest in “a career in diplomacy or business that would offer further exposure to China.”

Dozens of other young adults who have benefited from American Forum programs here and in far-flung regions overseas now are benefiting the nation, as well as themselves. For 35 years, the American Forum for Global Education has led the way, and I applaud them.
HONORING THE UWCHLAN AMBULANCE CORPS

HON. JIM GERLACH
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. GERLACH. Mr. Speaker, I rise today to honor the UWchlan Ambulance Corps for their 30 years of dedicated service to the citizens of Chester County, Pennsylvania.

The UWchlan Ambulance Corps was started in 1975, by a group of Chester County residents who recognized the need for a non-profit volunteer service in their community that could provide emergency medical services for those in need. This motivated group of citizens had a vision to provide critical emergency care to their neighbors and this vision has lived on and thrived throughout the past 30 years.

Today, the UWchlan Ambulance Corps still operates a non-profit organization that provides 24-hour protection from their two community-based stations. They have four Advanced Life Support/Basic Life Support ambulances and two Advanced Life Support paramedic units at their disposal. The Corps prides itself on its keen ability to grow and expand their unit to meet the needs of their quickly expanding community.

The Corps covers nearly 45 square miles of territory ranging from rural Chester County to the more heavily developed areas in the community. Of the 70,000 residents and nearly 60,000 visitors and merchants in Chester County, there has been an average of 2,700 calls each year to the UWchlan Ambulance Corps. With 60 active volunteers and 12 full-time staffers, the UWchlan Ambulance Corps raises the bar in the region for exceptional emergency medical service.

Furthermore, the UWchlan Ambulance Corps has contributed to their community on many different levels. The volunteers work diligently to provide numerous educational opportunities for the community, along with several outreach programs. The Corps also participates in capital campaigns, and building renovations, all of which are successful attempts to ensure the survival of this thriving ambulance corps. They work efficiently and swiftly with the changing needs of their community and in turn provide an outstanding service to the citizens.

Today, the UWchlan Ambulance Corps prides itself on providing high-quality emergency and medical transportation services to the ill and injured citizens of Chester County, Pennsylvania. Mr. Speaker, I ask that my colleagues join me today in honoring the UWchlan Ambulance Corps for their commitment to providing quality care, and community service to the region. It is an honor to recognize an organization that selflessly provides for their community each day and in turn creates a better quality of life for the citizens of Chester County, Pennsylvania.

RECOGNIZING THE DISTINGUISHED SERVICE OF COLONEL JOHN R. BATES, USMC

HON. DARRELL E. ISSA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Mr. ISSA. Mr. Speaker, I rise today to honor the 33 years of dedicated service of Colonel John R. Bates to our Nation and the United States Marine Corps.

Colonel Bates dropped out of college in 1966 to enlist in the United States Marine Corps, then Private Bates was trained as both an infantryman and a machine gunner, and deployed to Vietnam where he was assigned to Golf Company, 2nd Battalion, 5th Marines. In Vietnam, he participated in eight major combat operations and many more unnamed battalion and smaller hostile-fire operations. He was wounded in combat three times, the most serious of which resulted in the loss of much of his right lung by an enemy machine-gun round. Bates was promoted to the rank of Sergeant while serving in Southeast Asia.

While in Vietnam, he held the billets of Fire Team Leader, Squad Leader, and acting Infantry Platoon Commander. After thirteen months in Vietnam, then-Sergeant Bates was ordered to Camp Pendleton, California, and assigned as a Troop Handler for the 2nd Infantry Training Regiment and was subsequently discharged due to medical disabilities attributed to his earlier wounds.

Re-entering college using the GI bill, state rehabilitation funding, and a disability pension, Bates completed his Bachelor of Science and Education degree, followed by a Master of Science degree from the University of Central Arkansas. In 1975, seven and a half years after his medical discharge, his repeated requests to commission were granted and in November of that year he was commissioned a Second Lieutenant of Marines at Quantico, Virginia. Upon completion of the Basic School, he was awarded an infantry MOS and assigned to Charlie Company, 1st Bn, 7th Marines at Camp Pendleton as an infantry platoon commander. Lt. Bates’ next assignment was as Service Company Commander at Camp Courtney, Okinawa. Returning to the United States as an acting Captain, he assumed duty with the 12th Marine Corps District Recruiting Command at Treasure Island, California. His following duty assignment was that of Inspector Instructor for Echo Co, 2nd Bn, 23rd Marines, at San Diego, California. Promoted to Major, Bates was next assigned to Kaneohe Bay, Hawaii as the “Group Grunt” for Marine Air Group Two-Four. There he flew numerous hours in both fixed wing and rotary wing aircraft. After two years at the MAG, he was assigned Executive Officer for 1st Bn, 3rd Marines, and later as the acting commander of that battalion during Desert Shield and Desert Storm hostilities in Saudi Arabia and Kuwait. Returning from the Persian Gulf in the spring of 1991, Major Bates was assigned as the S-3, Operations Officer, of The Basic School, Quantico, Virginia, and was subsequently submitted to the rank of Lieutenant Colonel. Following that assignment, in 1994 LtCol Bates was ordered back to Hawaii and assumed the duties as the G-3 Ground Operations Officer for Marine Forces Pacific, spending much of the time in Korea and other areas of the Far East.

In 1996, LtCol Bates assumed command of 2nd Bn, 3rd Marines, and deployed the battalion to Okinawa, mainland Japan, Korea, and Hong Kong. Promoted to Colonel in 1998, Bates was transferred to become the Fleet Marine Officer, Second Fleet, in Norfolk, Virginia. In 2000, Col Bates was next assigned to Seventh Fleet, headquartered in Yokosuka, Japan, where he commanded Task Group 71.34, as the Fleet Anti-Terrorism Officer, requiring duty in much of Asia, Australia, New Caledonia and Micronesia.

His present assignment is as Assistant Chief of Staff for Operations and Training, Marine Corps Base, Camp Pendleton. In February of 2003, Col Bates assumed the duties as the Liaison Officer for 1 Marine Expeditionary Force to Marine Forces Command in Kuwait, Bahrain and Iraq and participated in Operation Iraqi Freedom. He has completed the resident courses of Amphibious Warfare School and the U.S. Marine Corps Command and Staff College. Bates holds life membership in the Disabled American Veterans. He is an avid ultra-distance runner, having completed more than 50 marathons and in 1986 was co-holder of the American Record for the 146-mile run from Badwater, California, (Death Valley) to the summit of Mt. Whitney. He is an expert rated Military Free-Fall parachutist and civilian USPA “D” licensed skydiver. His personal awards include the Legion of Merit, Purple Heart with two gold stars, the Meritorious Service Medal with two gold stars, the Combat Action Ribbon with one gold star, and the Navy/Marine Corps Achievement Medal with one gold star. He is married to the former Stephanie Tucker of St. Louis, Missouri. They have one son, 1st Lt. Joshua Rustin Bates, currently the S-3 Alpha for 1st Bn, 7th Marines.

On behalf of the American people whom Colonel Bates spent a career serving, I thank him for his service, honor and commitment to our country.
Mr. LEWIS of Kentucky, Mr. Speaker, I rise today to pay public tribute to a remarkable individual from my home district. Robert Kerrick, principal of Hancock County High School, is retiring this spring, bringing his distinguished 30-year career as an educator to a close.

Before becoming principal, Mr. Kerrick completed a 14-year tenure as a teacher and one year as an assistant principal in the Hancock County school system. During his 15 years as principal, Hancock County High School has been a consistent recipient of academic and athletic honors including CATS Top 10 and Blue Ribbon School distinctions along with numerous state and regional championships in men's and women's team sports. In 2003, Mr. Kerrick received the prestigious Dawson Orman Award from the Kentucky Association of Secondary School Principals, naming him Kentucky's most outstanding high school principal.

I applaud Robert Kerrick's accomplishments in public education, an occupation of great responsibility and ever greater reward, motivating young people to recognize and develop their talents and abilities. On behalf of so many in Hancock County, I would like to express my profound appreciation for his service and inspiration to the countless men and women who have benefited from his generosity and vision.

It is my great privilege to recognize Robert Kerrick today, before the entire U.S. House of Representatives, for his many achievements as an educator. His unique dedication to the development and well-being of young people and the communities they now serve make him an outstanding citizen worthy of our collective honor and respect.

Mr. Speaker, the 2005 Social Security Trust Fund, scheduled in 1915, we honor America's Armenian heritage and recognition of the fact that a new era of democratic and modern states is for-}

Mr. Speaker, I rise today to acknowledge and remember the 90th Anniversary of the Armenian Genocide, the mass killings and forced exile of countless Armenians in the final days of the Ottoman Empire. The suffering that befell the Armenian people in 1915 is a tragedy for all humanity, which the world should not forget.

In the years since, descendants of Armenian immigrants have clung to their identity and have prospered across this nation and throughout the world. The United States is fortunate to be home to an organized and active Armenian community, whose members contribute and participate in every aspect of civic life.

By properly recognizing the atrocities committed in 1915, we honor America's historic leadership and remind the world of the democratic and humanitarian values on which our country is founded. In this period of height-ened international conflicts, this message is most timely.

The United States must never allow crimes against humanity to pass without remembrance and condemnation. As U.S. efforts to assist victims of genocide continue, it is imperative that we pay tribute to the memory of others who have suffered and to never forget the past.

Mr. Speaker, in the 2005 Social Security Trustees Report tells us that beginning in 2017, Social Security will begin to pay out more in benefits than it receives in tax revenues. Then, in 2041, the Social Security Trust Fund will be exhausted. All analysts point to changing demographics as the primary factor driving Social Security into a deeper hole every year. In 1950, there were 16 workers supporting each retiree. Now, with hundreds of workers supporting each recipient projected to fall from 3.3 today to 2.3 in 2025, the mission is very clear: we must act now to strengthen and sustain Social Security.

By establishing personal accounts within the Social Security system, we can give every American worker a nest egg for his or her retirement. With personal retirement accounts, every worker will become a laborer and a capitalist earning a much higher rate of return on their payroll tax dollars than the current system can currently offer them. Furthermore, I firmly believe that there is no better way to bridge the wealth gap and decentralize the concentration of wealth in America than to adopt personal accounts like the ones I am proposing.

Mr. Speaker, this legislation not only gives workers a better deal for their retirement, but it is also a blueprint for permanent solvency for Social Security, long-term debt reduction and payroll tax relief for all American workers. This plan works to help control the growth rate of government spending and make sure the short-term Social Security surpluses are devoted to strengthening Social Security instead of other spending. Most importantly, this plan gives every worker the chance to have real wealth and become an owner in our free enterprise system.

THE 90TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. SCOTT GARRETT OF NEW JERSEY IN THE HOUSE OF REPRESENTATIVES Thursday, April 21, 2005

Mr. GARRETT of New Jersey, Mr. Speaker, I rise today to acknowledge and remember the 90th Anniversary of the Armenian Genocide, the mass killings and forced exile of countless Armenians in the final days of the Ottoman Empire. The suffering that befell the Armenian people in 1915 is a tragedy for all humanity, which the world should not forget.

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the most toxic waste are located in minority
les, 60 percent of the facilities that produce
bad air and industrial wasteland. In Los Ange-
served communities. Growing up in Los Ange-
memorate the 35th anniversary of Earth Day.

The Texas Revolution proves the bands of
freedom are stranger than ethnicity, as many
Tejanos proved at Gonzalez, Bexar, Goliad,
Valley will increase, and there will be 14,000
more lost days of work and 175 more cases of
bronchitis in Los Angeles County.

Marie Smith turns 50

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 21, 2005

Ms. SMITH of New Jersey. Mr. Speaker, Marie Smith, my dear wife of 27 years and
mother of our four wonderful children, turns 50
on Monday, April 25.

And although I’ve known, deeply loved and
cherished Marie for more than three decades,
I find that words are inadequate to con-
vey just how remarkable, unique and special
she is.

She’s amazing.

Marie Smith is a strong woman of abiding
faith in Christ, rock solid character, generosity
and goodness. She radiates the love and
compassion of Christ to family, friends and
strangers alike with a gentle piety and grace.
She has class and self-confidence yet is hum-
ble and extremely kind. She always looks out
for the underdog—especially a child left be-
hind.

Marie has a great sense of humor and al-
ways makes people feel at ease and wel-
come. I just love the way she laughs and
smiles. She is my best friend—and I love her
so.

Marie and I met in 1974 at a prayer meeting
at college. For me, it was love at first sight.
For her, well, it took a while. We worked on
pro-life issues—she eventually became presi-
dent of the organization—and early on recog-
nized the life changing core value found in
Jesus said

Whatsoever you do to the least of
anyone, anywhere who was
weak, vulnerable, unwanted or disenfran-
chised. That meant unborn babies killed by
abortion, their moms, the hungry, trafficked
women, the homeless, disabled and sick per-
sons and others who are being exploited or
are at risk. That meant all of the “least” were
all of infinite value and worth to God. It revolu-
tionized our personal worldview.

An honor student in both high school and
college and a voracious reader, Marie is very
smart and has that rare quality that enables
her to grasp, understand and solve complex
problems. She often “sleeps on a problem”
and wakes up the morning with the answer.
She is very creative and effectively thinks both
inside and outside the box. Her advice and
counsel over the years have been priceless.

In the early years, Marie worked as a first
grade teacher at St. Hedwig’s School in Tren-
ton and thrived on it before devoting herself
fulltime to the upbringing of our kids. Today,
she works for Feminists for Life and pours
herself into efforts to protect women and chil-
dren from violence and cruelty.

Our two girls and two boys richly benefited
from Marie’s warmth, kindness and dedication.
She was always there for them. Always. Me-
lissa, Chris, Mike and Elyse always knew
and—beyond a shadow of a doubt that they
were number one in her life—our lives—
and that there were no favorites in our house-
hold.

Marie is the quintessential multi-tasker—
teacher, nurse, chef and homework checker
as well as soccer, baseball, lacrosse and bas-
ketball Mom.

Our kids have always known, beyond a
shadow of a doubt, that they are much loved,
much wanted, much cared for and much
prayed for. It is both a comfort and encour-
agement to know that Marie intercedes for
and gives thanks to the Lord unceasingly for
our family and our friends.

Our kids greatly value and appreciate their
mother, and I now defer to them to elaborate:

This April 25th, I am so happy to celebrate
my mom’s 50th birthday. The world is cer-
tainly a better place because of her! Mom
has always been the steady rock in my sib-
lings’ lives—always there with an answer,
suggestion, open ear, love and support. She
sincerely mourns our disappointments and
practically celebrates our accomplish-
ments. Mom has helped me find my way
through the many choices and challenges
that are inevitable in the formative years,
and as a married adult now, I still often seek
her advice, and will continue to do so.

Mom’s “can-do” outlook makes anything
possible, whether it’s a stubborn word prob-
lem, science fair project, search for the per-
fect prom dress, or wedding ceremonies.
She always poses thoughtful suggestions
and selflessly offers help until the task is done
or the decision is made. Her patience and flexi-
ibility are unceasing, or at least always seem
to be!

Mom brings special touches into everyday
life—notes in lunches, candy found in a suit-
case while traveling, favorite treats for no
reason, and thoughtful unexpected gestures
that remind me just how much she really
knows me. Holidays and special occasions
are always made extra special, the essential
part being that the family is together. I have
learned much from my mom on the value of family
and the importance of unconditional love
and total faith in Christ.

In our house my mom had a sign that read,
“home is where the heart is.” While I love the
house I grew up in, I know that
home” will always be where Mom is—for
she is the heart of our family.—Melissa Smith Clement.

The way Mom tucked me in at night always brought pleasant dreams.

On waking, my groggy head would hear her laughter and wonder, “How is anyone so joyful in the morning?”

Throughout the day I would watch her with affection. Her love went into even the simplest of things. I was always moved by the tenderness with which she read a book, folded a shirt, or made a sandwich.

Now when I hear her laugh, it conveys her innocence; the years must make her younger. Do you see the confidence in her stride? The years must make her wiser. Judging by the length of her smile, her heart must be growing bigger.

I celebrate my mom on this day in April, celebrate my mom every day.—Chris Smith.

The most reliable and compassionate. The most outgoing and joyous. My mother is more than I could ask for. She has always given everything she possibly could without a second thought. She has always gone above and beyond to show her love for my siblings and me. I love her so much and wish her a happy birthday!—Mike Smith.

This week, we will be celebrating the 50th birthday of my mom. For 50 years she has brought love and joy to each person she has met, most especially her family. Her gentle kindness and patient understanding communicates her deep love for her family. She does not just take care of our family physically, but spiritually and emotionally. I cannot count how many times she was the shoulder to cry on when one of us kids had a bad day, or how many words of praise she showered us with when we did well in school or in sports. She is always there with words to guide us in our lives and in our faith.

As I have grown older, I have come to realize what an intelligent, wise and loving woman Mom is. Each day she gives of herself for our family and sets an example for us a Christ-centered life. She inspires us to turn to God and trust in His care. Mom is not afraid to stand up for her beliefs, and she has dedicated her life to living the Gospel of Christ. It is impossible to adequately describe the love and care which Mom selflessly gives each day. I feel sincerely blessed to call such a wonderful woman "mom" and I pray that she will have many more birthdays in the years to come. I love you Mom!—Elyse Smith.
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4139–S4157

Measures Introduced: Three bills were introduced, as follows: S. 890–892.

Transportation Equity Act: Senate began consideration of the motion to proceed to consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs.

A unanimous-consent agreement reached providing for further consideration of the motion to proceed to consideration of the bill at 2 p.m., on Monday, April 25, 2005.

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, notwithstanding the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, April 22, 2005, a vote on cloture will occur at 11:45 a.m., on Tuesday, April 26, 2005.

Measures Placed on Calendar:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Pages S4151–57

Additional Statements:

Pages S4149–51

Authority for Committees to Meet:

Page S4157

Adjournment:

Senate convened at 9:30 a.m., and adjourned at 11:05 a.m., until 2 p.m., on Monday, April 25, 2005. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S4157.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded open and closed hearings to examine United States Special Operations Command in review of the Defense Authorization Request for Fiscal Year 2006, after receiving testimony from Thomas W. O’Connell, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; and General Bryan D. Brown, USA, Commander, U.S. Special Operations Command.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12 noon on Monday, April 25 in pro forma session and at 12:30 p.m. on Tuesday, April 26 for Morning Hour debate.

Committee Meetings

“THE NATIONAL PARKS: WILL THEY SURVIVE FOR FUTURE GENERATIONS?”

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled “The National Parks: Will They Survive for Future Generations?” Testimony was heard from Steve Martin, Deputy Director, National Park Service, Department of the Interior; Vin Cipolla, President, National Park Foundation; and public witnesses.
CONGRESSIONAL PROGRAM AHEAD

Week of April 25 through April 30, 2005

Senate Chamber

On Monday, at 2 p.m., Senate will resume consideration of the motion to proceed to consideration of H.R. 3, Transportation Equity Act.

On Tuesday, Senate will continue consideration of the motion to proceed to consideration of H.R. 3, Transportation Equity Act, with a vote on the motion to invoke cloture to occur at 11:45 a.m. thereafter.

During the balance of the week, Senate will consider any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: April 27, to hold hearings to examine the nominations: of Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development, and to be a Member of the Board of Directors of the Commodity Credit Corporation, 10:30 a.m., SR–328A.

Committee on Appropriations: April 26, Subcommittee on Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2006 for the Department of the Treasury, 9:30 a.m., SD–138.

April 27, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2006 for the Department of Defense, 10 a.m., SD–192.

April 27, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2006 for the Sergeant at Arms, the U.S. Capitol Police Board, and the Capitol Guide Service, 11 a.m., SD–124.

April 28, Subcommittee on Homeland Security, to hold hearings for an overview of Bioterrorism and BioShield, 10:30 a.m., SD–192.

Committee on Armed Services: April 28, to hold hearings to examine defense intelligence in review of the Defense Authorization Request for fiscal year 2006; to be followed by a closed hearing in SR–222, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: April 26, to hold hearings to examine an update on money services businesses under bank secrecy and USA PATRIOT regulation, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: April 26, to hold hearings to examine the nominations: of Maria Cino, of Virginia, to be Deputy Secretary of Transportation, and Phyllis F. Scheinberg, of Virginia, to be an Assistant Secretary of Transportation, 10 a.m., SR–253.

April 26, Full Committee, to hold hearings to examine the President's proposed budget request for fiscal year 2006 for the Transportation Security Administration and related programs, 2:30 p.m., SR–253.

April 28, Full Committee, to hold hearings to examine a bill relating to the use of Video News Releases (VNRs) by government agencies, 10 a.m., SR–253.

Committee on Energy and Natural Resources: April 26, to hold hearings to examine the status of the Department of Energy's Nuclear Power 2010 program, 10 a.m., SD–366.

April 26, Subcommittee on Public Lands and Forests, to hold hearings to examine the preparedness of the Department of Agriculture and the Interior for the 2005 wildfire season, including the agencies' assessment of the risk of fires by region, the status of and contracting for aerial fire suppression assets, and other information needed to better understand the agencies ability to deal with the upcoming fire season, 2:30 p.m., SD–366.

April 28, Subcommittee on National Parks, to hold hearings to examine S. 242, to establish 4 memorials to the Space Shuttle Columbia in the State of Texas, S. 262, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California, S. 336, to direct the Secretary of the Interior to carry out a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail, S. 670, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, S. 777, to designate Catoctin Mountain Park in the State of Maryland as the “Catoctin Mountain National Recreation Area”, and H.R. 126, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore, 2:30 p.m., SD–366.

Committee on Finance: April 26, to hold hearings to examine proposals to achieve sustainable solvency regarding personal accounts, 10 a.m., SD–628.

April 28, Subcommittee on Social Security and Family Policy, to hold hearings to examine building assets for low-income families, 10:30 a.m., SD–628.

April 28, Subcommittee on Taxation and IRS Oversight, to hold hearings to examine encouraging savings and investment, 3 p.m., SD–628.

Committee on Foreign Relations: April 26, to hold hearings to examine the Millennium Challenge Corporation's global impact, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: April 26, Subcommittee on Retirement Security and Aging, to hold hearings to examine mending the pension safety net, 10 a.m., SD–430.

April 27, Full Committee, business meeting to consider S. 655, to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention, proposed Patient Navigator Outreach and Chronic Disease Prevention Act of 2005, and S. 518, to provide for the establishment of a controlled substance monitoring program in each State, 10 a.m., SD–430.

April 28, Full Committee, to hold hearings to examine access and accountability relating to providing quality post-secondary education, 10 a.m., SD–430.
Committee on Homeland Security and Governmental Affairs: April 27, to hold hearings to examine how vulnerable the U.S. is to chemical attack, 10 a.m., SD–562.

April 28, Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the Department of Defense’s business practices, focusing on business transformation, 2 p.m., SD–562.

Committee on Indian Affairs: April 27, to hold oversight hearings to examine regulation of Indian gaming, 9:30 a.m., SR–485.

Committee on the Judiciary: April 25, Subcommittee on Intellectual Property, to hold hearings to examine the patent system today and tomorrow and perspectives on patents, 1:30 p.m., SD–226.

April 26, Full Committee, to hold hearings to examine S.852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, 9:30 a.m., SR–325.

April 27, Full Committee, to hold hearings to examine the nomination of Paul D. Clement, of Virginia, to be Solicitor General of the United States, Department of Justice, 9:30 a.m., SD–226.

April 28, Full Committee, business meeting to consider pending calendar business, 9:30 a.m., SD–226.

April 28, Subcommittee on Immigration, Border Security and Citizenship, with the Subcommittee on Terrorism, Technology and Homeland Security, to hold joint hearings to examine the use of technology to protect the borders relating to strengthening border security between the ports of entry, 3 p.m., SD–138.

Select Committee on Intelligence: April 26, closed business meeting to consider certain intelligence matters, 2:30 p.m., SH–219.

April 27, Full Committee, to hold hearings to examine the USA PATRIOT Act, 9:30 a.m., SH–216.

April 28, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: April 27, to hold hearings to examine redefining retirement in the 21st century workplace, 10 a.m., SD–G50.

House Committees

Committee on Agriculture, April 27, Subcommittee on Conservation, Credit, Rural Development and Research and the Subcommittee on General Farm Commodities and Risk Management, joint hearing to Review the impact of Asia Soybean Rust on the U.S. farm sector, 11 a.m., 1300 Longworth.

Committee on Appropriations, April 26, Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies, on FCC, 1 p.m., H–309 Capitol.

April 26, Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on U.S. Postal Service, 10 a.m., and on National Archives and Records Administration, 3 p.m., 2358 Rayburn.

April 27, Subcommittee on Foreign Operations, Export Financing, and Related Programs, on State Department FY 2006 Budget Request, 2 p.m., 2359 Rayburn.

April 27, Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies, on Substance Abuse and Mental Health Services Panel: SAMHSA, NIDA, NIMH, and NIAAAA, 10:15 a.m., 2358 Rayburn.

April 27, Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on Federal Railroad Administration and AMTRAK, 10 a.m., 2358 Rayburn.

April 28, Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies, on public witnesses, 10 a.m., 2358 Rayburn.

Committee on Education and the Workforce, April 26, hearing on No Child Left Behind: Supplemental Tutoring for Children in Underachieving Schools, 1:30 p.m., 2175 Rayburn.

April 28, Subcommittee on Employer-Employee Relations, hearing on Challenges to Employer Efforts to Preserve Retiree Health Care Benefits, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, April 27, Subcommittee on Health, hearing entitled "Long-Term Care and Medicaid: Spiraling Costs and the Need for Reform,” 10 a.m., 2123 Rayburn.

Committee on Financial Services, April 28, Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, hearing entitled “Combating Trafficking in Persons: Status Report on Domestic and International Developments,” 10 a.m., 2128 Rayburn.


April 26, Subcommittee on Federalism and the Census, hearing entitled “The 70’s Look: Is the Decades-Old Community Development Block Grant Formula Ready for an Extreme Makeover?” 10 a.m., 2154 Rayburn.

April 26, Subcommittee on Federal Workforce and Agency Organization, to consider pending business; followed by a hearing entitled “What is More Scrambled Than an Egg? Answer: The Federal Food Inspection Program,” 2 p.m., 2154 Rayburn.

April 27, full Committee, to continue hearings on Steroid Use in Sport Part II: Examining the National Football League’s Policy on Anabolic Steroids and Related Substances, 10 a.m., 2154 Rayburn.


Committee on Homeland Security, April 26, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk
Assessment, to mark up The Homeland Security Information Sharing and Enhancement Act of 2005, 2:30 p.m., 2128 Rayburn.

April 27 and 28, full Committee, to consider the Department of Homeland Security Authorization Act of Fiscal Year 2006, 10 a.m., 2118 Rayburn.

Committee on International Relations, April 26, Subcommittee on Africa, Global Human Rights and International Operations, hearing on Malaria and TB: Implementing Proven Treatment and Eradication Methods, 2 p.m., 2172 Rayburn.

April 26, Subcommittee on Europe and Emerging Threats, to mark up the following: H.Res. 195, Recognizing the 60th anniversary of Victory in Europe (VE) Day and the Liberation of Western Bohemia; and a resolution Recognizing the 60th anniversary of Victory (V-E) Day during World War II, 6 p.m., 2200 Rayburn.

April 27, full Committee, hearing on Millennium Challenge Account: Does the Program Match the Vision? 10:30 a.m., 2172 Rayburn.

April 27, Subcommittee on Europe and Emerging Threats, hearing on Islamic Extremism in Europe, 1 p.m., 2172 Rayburn.


April 28, Subcommittee on International Terrorism and Nonproliferation, hearing on Previewing the Nuclear Nonproliferation Treaty Review Conference, 10 a.m., 2172 Rayburn.

April 28, Subcommittee on Oversight and Investigations, hearing on The Role of BNP-Paribas SA (Banque National de Paris) in the United Nations Oil-for-Food Program, 2 p.m., 2200 Rayburn.

Committee on the Judiciary, April 26, Subcommittee on Crime, Terrorism, and Homeland Security, oversight hearing on the Implementation of the USA PATRIOT Act: Sections of the Act that Address Foreign Intelligence Surveillance Act (FISA). (Part 1)—Section 204: Clarification of Intelligence Exceptions from Limitations on Interception and Disclosure of Wire, Oral, and Electronic Communications; Section 207: Duration of FISA Surveillance of Non-United States Persons who are Agents of a Foreign Power; Section 214: Pen Register and Trap and Trace Authority Under FISA; Section 225: Immunity for Compliance with FISA Wiretap; and Lone Wolf, 10 a.m., 2141 Rayburn.


April 27, full Committee, to continue mark up of H.R. 800, Protection of Lawful Commerce in Arms Act; and to mark up H.R. 554, Personal Responsibility in Food Consumption Act, 10 a.m., 2141 Rayburn.

April 28, Subcommittee on Courts, the Internet, and Intellectual Property, to continue oversight hearings entitled "Committee Print Regarding Patent Quality Improvement," (Part 2) 12 p.m., 2141 Rayburn.


April 28, Subcommittee on Crime, the Internet, and Intellectual Property, oversight hearing/hearing on the Implementation of the USA PATRIOT Act: Section 218, Foreign Intelligence Information ("The Wall"), 2:30 p.m., 2141 Rayburn.

Committee on Resources, April 26, Subcommittee on Fisheries and Oceans, hearing on H.R. 1428, National Fish and Wildlife Foundation Reauthorization Act of 2005, 1 p.m., 1324 Longworth.

April 27, full Committee, oversight hearing entitled "Tribal proposals to acquire land-in-trust for gaming across state lines and how such proposals are affected by the off-reservation discussion draft bill, "10 a.m., 1324 Longworth.

April 27, Subcommittee on Energy and Mineral Resources, oversight hearing on Improving the Competitiveness of America’s Mining Industry,” 10 a.m., 1334 Longworth.

Committee on Rules, April 26, to consider H.R. 748, Child Interstate Abortion Notification Act, 5:15 p.m., H–313 Capitol.

Committee on Science, April 27, Subcommittee on Energy, hearing on Science and Technology Priorities for the Department of Energy in Fiscal Year 2006, 10 a.m., 2318 Rayburn.

April 28, full Committee, hearing on NASA Earth Science, 10 a.m., 2318 Rayburn.

Committee on Small Business, April 27, hearing entitled “Closing the Tax Gap and the Impact on Small Businesses, 2 p.m., 311 Cannon.

April 28, Subcommittee on Regulatory Reform and Oversight, hearing on the Administration’s Program To Reduce Unnecessary Regulatory Burden on Manufacturers—A Promise to be Kept? 10:30 a.m., 311 Cannon.


April 28, Subcommittee on Railroads, oversight hearing on New Technologies for Rail Safety and Security, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, April 25, to mark up H.R. Res. 170, Of inquiry requesting the President to transmit
certain information to the House of Representatives re-
specting a claim made by the President on February 16,
2005, at a meeting Portsmouth, New Hampshire, that
there is not a Social Security trust, 8 p.m., 1100 Long-
worth.

Permanent Select Committee on Intelligence, April 28, exec-
utive, Briefing on Oversight Subcommittee Activity Up-
date, 9 a.m.; followed by, executive, Briefing on Global
Updates, 9:30 a.m., H–405 Capitol.

April 28, executive, Briefing on Global Updates, 9:30
a.m., H–405 Capitol.

Joint Meetings

Joint Meetings: April 28, Senate Committee on the Judi-
ciary, Subcommittee on Immigration, Border Security and
Citizenship, to hold joint hearings to examine the use of
technology to protect the borders relating to strength-
ening border security between the ports of entry, 3 p.m.,
SD–138.

Joint Meetings: April 28, Senate Committee on the Judi-
ciary, Subcommittee on Terrorism, Technology and
Homeland Security, to hold joint hearings to examine the
use of technology to protect the borders relating to
strengthening border security between the ports of entry,
3 p.m., SD–138.

Joint Economic Committee: April 28, to hold joint hear-
ings to examine medical liability reform, 10 a.m., 2226
RHOB.
Program for Monday: Senate will resume consideration of the motion to proceed to consideration of H.R. 3, Transportation Equity Act.

Program for Monday: The House will meet at 12 noon on Monday, April 25 in pro forma session.

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